



Department of Planning & Community & Economic Development
Planning Division

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October 23, 2013

Randy Bruce
Knothe & Bruce
7601 University Ave, Suite 201
Middleton, WI 53562

RE: Approval to rezone **1220-1236 Mound Street** from TR-C4 (Traditional Residential Consistent 4) to PD (Planned Development) District to allow three new single-family residences to be constructed in the rear yards of existing residences.

Dear Mr. Bruce:

At its October 15, 2013 meeting, the Common Council, meeting in regular session, approved your client's request to rezone 1220-1236 Mound Street from TR-C4 (Traditional Residential Consistent 4) to PD (Planned Development) District to allow three new single-family residences to be constructed in the rear yards of existing residences. The following conditions of approval shall be satisfied prior to final approval and recording of the Specific Implementation Plan. Please note that the approval letter for the preliminary and final plat for the "St. James Cottage Homes" has been provided to your surveyor.

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-four (24) conditions.

1. The concurrent plat application shall be completed and signed off by Engineering prior to the final sign off of the rezoning application.
2. The Preliminary Plat notes a fence and sidewalk encroaching onto proposed Lot 3 and Lot 4. Plans for development note the fence is to be removed during site demolition. An easement/agreement allowing the encroaching sidewalk from 1218 Mound Street onto proposed Lot 4 shall be recorded and noted on the final plat.
3. There are overhead utilities shown serving the existing dwellings on proposed Lots 4 – 7 from the north. Any required utility easements to serve the lots within this plat shall be coordinated by the surveyor with the utility companies serving the proposed plat. The easements shall be shown on the final plat if they are requested by the utility company(s).
4. A common access and parking agreement/easement for the common access area proposed in the rear of the lots in this plat shall be required. It would be preferred that the agreement/easement be recorded and noted on the plat prior to final plat recording. If this cannot be accomplished, the easement/agreement shall be recorded immediately after the plat is recorded. Building permit issuance for any lot within the plat shall not be granted until a copy of the recorded easement has been provided. It should be noted that this

private drive access shall remain private and no public services or maintenance shall be granted in the future.

5. A driveway drain shall be installed to collect water to feed the bio-retention basin and to prevent icing on the sidewalk.
6. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
7. The applicant shall Dedicate a one foot wide strip of Right of Way along St. James Court, (MGO 16.23(3)(a)(2)(c) (plats) & 16.23(5)(g)1 (CSM))
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
9. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester. (MGO 16.23(9)(d)(6))
10. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
11. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
12. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
13. All damage to the pavement on Mound St., St. James Ct. and Orchard St. , adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
14. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used. POLICY AND MGO 10.29

15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
16. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
17. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Reduce TSS off of the proposed development by 80% when compared with the existing site; b) Provide oil & grease control from the first 1/2" of runoff from parking areas; and c) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
18. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
19. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.), e) right-of-way lines (public and private), f) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words "unplatted", h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred addressing@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

20. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
21. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.
22. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7)

23. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

Please contact Patrick Anderson, Assistant Zoning Administrator at 266-5978, if you have questions regarding the following five (5) items:

24. Provide dimensions for vehicle parking stalls in final plans.
25. Provide usable open space calculations and depict areas on final plans, pursuant to section 28.045(2), 28.211 & 28.140.
26. Bike parking shall comply with City of Madison General Ordinances Section 28.141(4). Provide detail of garage bike parking spaces, to determine compliance with Sec. 28.141(11).
27. The submitted plans encompass only the area where the new homes are to be constructed. Submit complete revised plan set, extending the plans to encompass the entire PD site, to be approved by staff and recorded with final PD approval.
28. For 1226/1228 Street building, add decks/porches to side elevations, and provide design detail or such features on the existing buildings.

Please contact Bill Sullivan, Madison Fire Department at 261-9658, if you have questions regarding the following item:

29. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e). Additional information is available at the Home Fire Sprinkler Coalition website: <http://www.homefiresprinkler.org/Consumer/ConsHome.html>

Please contact Kay Rutledge, Parks Division at 266-4714, if you have questions regarding the following five (5) items:

30. The developer shall pay approximately \$11,063.88 for park dedication and development fees for the 3 new single-family lots.
31. The developer must select a method for payment of park fees before signoff on the subdivision. This development is within the Vilas-Brittingham park impact fee district (SI27). Please reference ID# 13148 when contacting Parks.
32. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
33. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be

obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Work Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.

34. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

Please contact my office at 267-1150 if you have questions regarding the following seven (7) items. Please note items 36-41 were recommended by the Plan Commission and approved by the Common Council.

35. That the applicant provides a minimum of four additional bicycle parking stalls with the details to be approved by staff.
36. That the property owners be responsible for the exterior maintenance of the lots.
37. That the applicant work with City staff on the design and construction of sidewalk along St. James Court adjacent to the development.
38. That the zoning text be revised to not allow parking for this development to be leased to non-residents.
39. A condition of approval for this project shall be that a maximum of 9 residential parking permits shall be issued for this development. This restriction shall be noted in the final zoning text for the Planned Development and in the residential dwelling unit leases, with a copy of the residential lease to be provided with the final plans for the project.
40. That the zoning text be revised to state that Lots 4-7 shall retain their nonconforming status for occupancy (family definition).
41. That the applicant works with City staff to provide 2-3 additional parking stalls with moped flexibility.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please now follow the procedures listed below:

After the planned development has been revised per the above conditions, please revise your plans per the above conditions and submit 10 copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.

The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.181(5) determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. This property is in Wellhead Protection Zone WP-27. This use is permitted in this district. Any proposed change in use shall be approved by the Water Utility General Manager or his designee. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Dailey, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Patrick Anderson, Zoning
Bill Sullivan, Fire Department
Kay Rutledge, Parks Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: