



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

January 20, 2012

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue, Suite 201
Middleton, Wisconsin 53562

RE: Approval of a request to rezone 3210 Maple Grove Drive from Planned Unit Development-General Development Plan (PUD-GDP) to Planned Unit Development-Specific Implementation Plan (PUD- SIP) to allow demolition of a church/school and construction of 106 multi-family residential units in four buildings. (Tim McKenzie)

Dear Mr. Bruce;

At its January 17, 2012 meeting, the Common Council **conditionally approved** your application to rezone property located at 3210 Maple Grove Drive from PUD-GDP to PUD-SIP, subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition or new construction:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-eight (28) items:

1. The conditions of approval for the March 3, 2010 Plan Commission approval letter shall be addressed and the PUD-GDP shall be recorded prior to final approval of this PUD-SIP.
2. The applicant shall enter into a Developer's Agreement for the construction of the improvements on Maple Grove Drive, including the right of way dedication, turn lane and median improvements.
3. The applicant shall apply for a CSM or subdivision plat of this property and obtain City Engineering Division sign-off prior to final approval of this PUD-SIP.
4. The storm sewer plan shall be reviewed by the owner's engineer for potential flooding impacts to the underground parking areas. The storm sewer design shall be stamped by a Professional Engineer.
5. Provide additional details of to demonstrate what is intended by the note that reads: '6" draintile into building' at the southern most building.
6. The owner shall clarify if the sanitary sewer will be public or private. If public, the City will require easements and a Developer's Agreement. If the sanitary sewer will be private, the City requires an ownership and maintenance agreement to be recorded at the Dane County Register of Deeds detailing the rights and responsibilities of each property owner.

7. This property is subject to the City's Prairie Interceptor or Maple Grove Interceptor sanitary sewer charges depending on how the property is served. Currently, the plan calls for connections to the Prairie Interceptor, which has a connection rate of \$12.10/1,000 square feet.
8. This redevelopment, by CSM or plat, will require the development and implementation of an amended addressing plan for the site. The existing address of 3210 Maple Grove Drive will be inactivated after the demolition, as this address no longer conforms to the City's addressing grid. Coordinate the amended address plan with Lori Zenchenko (izenchenko@cityofmadison.com or (608)266-5952).
9. The applicant shall dedicate additional right of way on Maple Grove Drive to facilitate access to the project and safe use of driveways on the east side of the road. The applicant shall meet with the City Engineer and City Traffic Engineer to define the geometrics and right of way needs.
10. The construction of this development 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.
11. The applicant shall construct sidewalk along Maple Grove Drive according to a plan approved by the City Engineer.
12. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
13. The applicant shall make improvements to Maple Grove Drive in order to facilitate ingress and egress to the development.
14. The approval of this 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.
15. 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.
16. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction or any sidewalk and curb and gutter that 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.
17. All work in the public right of way shall be performed by a City-licensed contractor.

18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.
19. All damage to the pavement on Maple Grove Drive adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
20. 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.
21. The applicant shall demonstrate compliance with MGO Sections 37.07 and 37.08 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.
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2, 10, & 100-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; provide substantial thermal control, and; 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.
23. The applicant shall submit, prior to plan signoff, 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: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
24. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
25. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
26. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
27. Prior to approval of the issuance of a demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged, the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City

staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

28. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.

Please contact Bryan Walker of the Traffic Engineering Division at 267-8754 if you have questions about the following fifteen (15) items:

29. The related GDP and CSM have not yet been approved for this SIP. Prior to approval of this SIP, the GDP and CSM will need to be approved according to the City's approval. See City Letter dated March 3, 2010.
30. The applicant shall be required to modify site plans as approved by the Plan Commission and Common Council for the PUD-GDP and CSM. In addition, the applicant will need to complete all outstanding conditions as approved for PUD-GDP and CSM, including any subdivision contract and financial requirements and obligations.
31. As noted with the GDP and CSM, the applicant shall dedicate additional right-of-way along Maple Grove Drive frontage beginning from the southerly right-of-way line of McKee Road southerly along the westerly right-of-way line through and past the proposed driveway approach for Mader Drive (Private Street). This dedication is required for the orderly development of this land use and to provide transportation accommodations to serve this development. The exact dedication and street improvement requirements shall be reviewed and approved by the City Traffic Engineer. The applicant shall provide this dedication prior to approval of PUD-SIP.
32. The developer shall enter into a subdivision contract and make improvements to Maple Grove Drive and McKee Road (CTH PD), as determined by the City Traffic Engineer and City Engineer. The applicant shall provide this dedication prior to approval of PUD-SIP.
33. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall contact Dane County Highway, with site plans sets for review and approval. The applicant shall return a set of site plans or letter with Dane County Hwy approved copies to the City of Madison Traffic Engineering Division.
34. The applicant shall modify the Maple Grove Drive proposed approach according to MGO. A special design "Street Type Entrance" at McKee Road will need to be designed and reviewed and approved by the Traffic Engineering staff.
35. The applicant shall modify the McKee Road curb cut to a Class 3 driveway approach to accommodate right-in and right-out approach. In addition, the applicant shall secure approach approval from Dane County prior to sign-off of PUD-SIP.
36. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street,

signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.

37. The applicant shall note on the PUD (GDP) "Mader Drive (Private Street)", when submitted for PUD (SIP) approval. The applicant shall note the following for private street signs.
38. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
39. The applicant will need to submit a copy of plat, CSM or recorded easements to accommodate access.
40. The applicant will need to submit a pavement marking and signage plan to be review and approved by Traffic Engineering staff for the PUD (GDP-SIP) submittal. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
41. A Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with Plat or CSM submittal. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.
42. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
43. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following four (4) items:

44. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO Section 34.507 for additional information.
45. MGO Section 34.507(1)(e) requires that the private fire service mains for this project be 10-inches unless the fire flows can be hydraulically calculated.
46. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.03(17) and 34.19, as follows: provide a minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant, and; where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet.
47. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact the MFD Training Division at (608) 246-4587 to discuss this possibility.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

48. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following item:

49. The developer shall pay \$239,551.52 in park impact fees for the 106 multi-family units proposed. Fees in lieu of dedication = (106 units@\$1,631)=\$172,886.00; Park development fees = (106 units@ \$628.92)=\$ 66,665.52, for a total park impact fee of \$239,551.52. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Elver Park impact fee district (SI31).

Please contact Tim Sobota of Madison Metro Transit at 261-4289 if you have any questions regarding the following item:

50. The general development plan required that the developer(s) install and maintain a concrete passenger boarding pad on the west side of Maple Grove Drive, south of McKee Road. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb. Future transit service expansions or restructuring could be routed along Maple Grove Drive to points south of McKee Road—creating the possible need for the concrete boarding pad location and bus stop identified above at this major intersection. The applicant shall include the location of these passenger amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

Please contact my office at 261-9632 if you have questions about the following eight (8) items:

51. That prior to the recording of this specific implementation or the issuance of permits for demolition or new construction on this site, the 2010 general development plan for 6701-6921 McKee Road/ 3210 Maple Grove Drive receive final staff approval for recording with the Dane County Register of Deeds.
52. That a subdivision plat or Certified Survey Map subdividing the overall 14-acre site be submitted, approved and recorded prior to the issuance of permits for new construction on the subject site.
53. Prior to the final approval of the specific implementation plan and subdivision (see above condition) for recording, the developer shall submit reciprocal cross-access and shared parking easements and agreements to govern the development for the review and approval of the City Engineer, City Traffic Engineer and Planning Division Director. The easements or agreements shall provide shared access and parking between the subject site and the existing Stone Creek Apartments generally addressed as 3233 Stonecreek Drive.
54. That Sheets C-1.0 and C-1.1 of the plan set be revised prior to final approval to reflect the boundaries of the PUD-SIP as described on the legal descriptions submitted with the application, which include all of Mader Drive and the proposed stormwater management facilities.

55. That Sheet C-1.1 be revised prior to final approval to provide building setback dimensions from the future right of Maple Grove Drive and from the sidewalk on the south side of Mader Drive.
56. That Sheet C-4.1 be revised to provide a street tree planting plan for the entire south side of Mader Drive and the north side of Mader Drive adjacent to the stormwater management facility to be installed as part of the implementation of this PUD-SIP. The responsibility for the ongoing maintenance of these trees shall be addressed in the reciprocal easements or agreements required in the above condition. Details on the street trees to be planted on the remainder of the north side of Mader Drive will be addressed as part of the approval of future specific implementation plans for the overall planned unit development.
57. That Sheet C-4.1 be revised per Planning staff approval to add 3 additional coniferous trees within the 30-foot side yard between Building 4 and the southern property line and additional shade trees along both sides of the north-south internal drive through the site.
58. That a minor alteration to the approved conditional use planned residential development for Stone Creek Apartments (3233 Stonecreek Drive) be approved prior to the final recording of this PUD-SIP to reflect the proposed cross-access and shared parking proposed between the existing and proposed apartment complexes.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

The Madison Water Utility shall be notified to remove the water meters prior to demolition.

Approval of the 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.

After the planned unit development has been revised per the above conditions, please file **eleven (11) sets** of complete, fully dimensioned, and to-scale plans 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. 28.12 (10)(e), 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.

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 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Bryan Walker, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Kay Rutledge, Parks Division
Tim Sobota, Madison Metro Transit
Dennis Cawley, Madison Water Utility
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 checked="" type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit