



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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June 23, 2011

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

RE: Approval of a request to rezone property generally addressed as 401 N. Pleasant View Road from Planned Unit Development-General Development Plan (PUD-GDP) to Amended PUD-GDP and PUD-SIP to increase the density of two sites for future multi-family development and allow construction of 13 townhouse units in 3 buildings. (Attic Angel-Prairie Point, Inc.)

Dear Mr. Bruce;

At its June 21, 2011 meeting, the Common Council **conditionally approved** your application to rezone property generally addressed as 401 N. Pleasant View Road from PUD-GDP to Amended PUD-GDP and 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 new construction:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty-four (24) items:

1. The Certified Survey Map (CSM) shall be completed and recorded prior to final site plan approval of the PUD.
2. The CSM and PUD plans shall be revised to correctly identify N. Pleasant View Road.
3. Coordinate final CAD file submittals and implementation of an addressing plan for the site with the Engineering Division Mapping Section.
4. The developer has met with City staff regarding the required improvements necessary for the extension of Elderberry Road and Samuel Drive. The City and developer have agreed to construction of these streets with two separate assessable projects that shall be designed and constructed by the City and assessed 100% to the developer. The developer shall provide data (including survey and soil boring data) to the City to complete the design. The developer shall be required to enter into a Development Agreement prior to sign off of the Amended PUD-GDP and PUD-SIP and the CSM. It is anticipated that the developer will submit all necessary information to the City in order to proceed with the assessable project by June 1, 2011 to allow for the assessments to be levied by August of 2011. A delay in the submission of the necessary information may result in delays in the City's approval of the Amended PUD-GDP and PUD-SIP and CSM.

5. The developer shall provide a waiver of hearing and notice for the public improvements and assessments required to construct Samuel Drive and Elderberry Road.
6. The developer shall be responsible for the public infrastructure, including sidewalk on both sides, of Samuel Drive. The extension of Samuel Drive to the south shall be constructed by the City and assessed as part of the approval of the Amended PUD-GDP and PUD-SIP and related CSM for this development. Additionally, the developer shall be responsible for street improvements at the intersection of Elderberry Road and N. Pleasant View Road to accommodate ingress and egress to the development.
7. The developer shall be responsible for the construction of sidewalk along N. Pleasant View Road adjacent to the development from the north property line to the proposed extension of Elderberry Road.
8. The developer shall be responsible for public infrastructure including curb on both sides and sidewalk along the north right of way on Elderberry Road. The portion of Elderberry Road from Samuel Drive to the east shall be constructed at a future date, which shall be no later than 2015 or if required in conjunction with any further development of Outlot 3 (multi-family site) or Outlot 5 (duplex site) of the final plat of Prairie Point. Assessments will be levied for the improvements as part of the approval of the current rezoning and CSM approval. Assessments for this portion of the public improvements shall be deferred until the construction of Elderberry Road from Samuel Drive to the east.
9. The developer shall provide copies of the easement(s) from the University for lands located to the south, which are required for grading and related roadway construction.
10. The developer shall provide temporary grading easements on proposed Lot 2 and Lot 3 of the related CSM to facilitate the construction of the public infrastructure.
11. This development is subject to the Old Sauk Drainage Assessment District (East) and shall be required to pay these charges prior to the City Engineering Division's sign off of the PUD.
12. The deferred storm water detention variance fees shall be paid in full for this phase of work prior to the City Engineering Division sign off of the plans.
13. 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.
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.
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. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over one acre of disturbance for stormwater management and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151, but a separate permit submittal is now required from the WDNR for this work as well.

As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the DNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.

17. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
18. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances, 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.
19. 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).
20. 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).
21. 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.
22. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

23. 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 Division signoff.
24. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

Please contact Bryan Walker, Traffic Engineering Division, at 267-8754 if you have questions about the following six (6) items:

25. The applicant shall extend Samuel Drive and Elderberry Road according to attached letter from the City Engineer dated March 4, 2010. The applicant shall enter into a signed Developer's Agreement through City of Madison Engineering prior to sign off.
26. The applicant shall extend and dedicate Samuel Drive to Elderberry Road with the related CSM. It shall be noted on the Amended PUD-GDP & PUD-SIP that Samuel Drive shall be dedicated on the CSM.
27. Intersection improvements at the Elderberry Drive intersection on N. Pleasant View Road shall be installed by the developer per the plans and specifications of the City Engineer and City Traffic Engineer to provide adequate ingress and egress to the plat and development. These improvements may include left-turn lanes, medians, right-turn lanes and bike lane provisions.
28. The applicant shall execute and return declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.
29. The applicant shall note the following access restrictions on the Amended PUD-GDP and PUD-SIP:
- a.) No access shall be granted along the easterly right-of-way line of N. Pleasant View Road;
 - b.) No access shall be granted along the northerly right-of-way line of Elderberry Road from Samuel Drive westerly to N. Pleasant View Road.
30. 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, Madison Fire Department, at 261-9658 if you have any questions regarding the following item:

31. Adults 65 plus years of age are 2-4 times more likely than the general population to die in a home fire. Due to this fact and the project's emphasis of a continuation of positive social and economic impact on the community, the Madison Fire Department recommends the installation of automatic fire sprinklers in the proposed cottage homes in accordance with the standards of both the International Fire Code and the National Fire Protection Association.

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

32. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Kay Rutledge, Parks Division, at 266-4714 if you have any questions regarding the following four (4) items:

33. Final park dedication and development fees will be determined when specific implementation plans are submitted for the multi-family development portion of the project. Park impact fees will be due prior to signoff of those SIPs and/or the issuance of building permits.
34. The developer shall pay \$20,202.00 in park development fees for 13 new multi-family units included in the PUD-SIP. These fees may be adjusted based on any remaining credit for the previous parkland dedication of Outlot 4 of Prairie Point (Junction Ridge Park).
35. The calculation of the park impact fees for the new development can be further reduced if this development will be restricted to persons fifty-five (55) years of age or older. In accordance with MGO 16.23(8)(f)4, "... where a multi-family development in whole or part will be limited to occupancy by persons fifty-five (55) years of age or older by appropriate recorded restriction for a period of not less than thirty (30) years, ...", a restriction that remains in effect for 30 years limiting these units to persons 55 years of age or older must be recorded. Please contact Kay Rutledge for appropriate deed language.
36. 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 my office at 261-9632 if you have questions about the following two (2) items:

37. That the applicant provide a detailed site plan and residential unit inventory (existing and future) for the entire Attic Angels-Prairie Point Planned Unit Development and the net acreage of the overall project site for recording with the amended general development plan.
38. Nothing in the approval of this Amended PUD-GDP or PUD-SIP shall contradict or void the City's agreements with the developer regarding payments in lieu of taxes (PILOTs) for the Prairie Point age-restricted, non-profit development. All additional units to be constructed in this PUD now and in the future shall be subject to the terms of those agreements. If an amended PILOT agreement is needed to serve the development in the Amended PUD, said amended agreement shall be approved by the City Attorney's Office and executed by the City and developer prior to taking effect.

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.

After the planned unit development has been revised per the above conditions, please file **ten (10) sets** of 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
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 type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: