



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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September 21, 2011

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

RE: Approval of a request to rezone 647 Bear Claw Way from C1 (Limited Commercial District) to Planned Unit Development-General Development Plan (PUD-GDP) to allow the future construction of a two-story commercial building, and approval of a request to rezone 652 Bear Claw Way from C1 to PUD-GDP-SIP to allow construction of a 28-unit apartment building and a future one-story commercial building. (TR McKenzie, Inc.)

Dear Mr. Bruce;

At its September 6, 2011 meeting, the Common Council **conditionally approved** your application to rezone property located at 647 Bear Claw Way from C1 to PUD-GDP and 652 Bear Claw Way from C1 to PUD-GDP-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 nineteen (19) items:

1. A CSM is required to legally create the parcels as proposed by the applicant.
2. The apartment addresses as shown on this application are approved by Engineering Mapping.
3. Coordinate final CAD file submittals and implementation of an addressing plan for the site with the Engineering Division Mapping Section. Submit a PDF of all floorplans to Lori Zenchenko (Lzenchenko@cityofmadison.com) so that a final addressing plan can be developed for this site. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
4. The site plans for the specific implementation plans approval at 652 Bear Claw Way are insufficient to provide detailed comments. Provide a site plan for 652 Bear Claw Way including at a minimum all the existing and proposed drainage, utility connections and details, elevations of and drainage for the parking lot, retaining walls and underground parking. Detailed comments will be provided for the future specific implementation plans at the time they are submitted for Plan Commission approval.
5. The landscaping and stormwater management plans are inconsistent with each other. Modify plans to reflect the actual design.
6. Bioretention calculations shall be provided.
7. 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, 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.

8. All work in the public right of way shall be performed by a City-licensed contractor.
9. All damage to the pavement on Bear Claw Way and Old Sauk Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
10. 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.
11. 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.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: Control 80% TSS (5 micron particle) off of new paved surfaces; 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.
13. 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).
14. 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).
15. 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.
16. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
17. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
18. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
19. 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 item:

20. The applicant shall execute a 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.

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

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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

21. 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 item:

22. The developer shall pay \$60,699.24 in park development fees for the 28 new multi-family units proposed at 652 Bear Claw Way. Fees in lieu of dedication=(28 units@\$1,554)=\$43,512.00; Park development fees=(28 units@ \$613.83)=\$17,187.24, for a total park impact fee of \$60,699.24. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Far West park impact fee district (SI30).

Please contact my office at 261-9632 if you have questions about the following four (4) items:

23. That an amended specific implementation plan be submitted for approval by the Common Council following a recommendation by the Urban Design Commission and Plan Commission prior to the issuance of permits for the construction of the one-story commercial building on the 652 Bear Claw Way property.
24. Note: The March 24, 2011 request by James Weber to amend the Generalized Future Land Use Plan recommendation for the subject properties was placed on file as a result of this zoning map amendment approval.
25. The proposed lot line on Sheet C1.1 shall be shown as "future" or removed until such time as a Certified Survey Map is submitted for review and approval by the City and recorded with Dane County.
26. That the applicant work with the Planning Division and Zoning Administrator prior to final approval and recording of the planned unit development to develop an enumerated list of permitted commercial uses for the zoning text so as to eliminate the reference to C1 zoning. [Staff believes that it would be best going forward to approve PUD zoning texts with such use lists so as to avoid references to the current Zoning Code.]

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 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
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: