



Department of Planning & Community & Economic Development
Planning Division

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September 8, 2010

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

RE: Approval of a request to rezone 709 N. Segoe Road and 750 Hilldale Way from Planned Unit Development-Specific Implementation Plan (PUD-SIP) to Amended Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow a 96-unit apartment development to be constructed adjacent to the Target store at Hilldale Shopping Center.

Dear Mr. Bruce;

At its September 7, 2010 meeting, the Common Council **conditionally approved** your client's application to amend the previously approved PUD-GDP-SIP for Target/ Hilldale Shopping Center to allow construction of a 96-unit apartment development. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for construction:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following twenty (20) items:

1. The applicant's utility contractor shall obtain a Permit to Excavate in the Public Right of Way prior to commencing any utility work.
2. The exposed parking area is graded to drain into the underground parking area. This is unacceptable. The applicant shall revise plans to provide a safe overflow for the 100-year event or show a pumping plan that can accommodate expected flows.
3. A signed inter-lot agreement is required prior to approval indicating maintenance and use restrictions of the detention vault on the Target property for the subject apartment property.
4. A recorded ownership/ maintenance agreement for the shared sanitary sewer lateral shall be in place prior to final plan approval.
5. The developer shall enter into an agreement to extend public sanitary sewer and storm sewer. Said improvements shall be coordinated with the adjacent Target store developer.
6. Per MGO Section 10.34, the proposed development configuration requires the prior site address of 709 N. Segoe Road to be changed to 4620 Frey Street.

7. The subdivision of the Target property to create the proposed apartment site will require approval of a subdivision plat. [Note: The two-lot final plat of Hilldale Hurrah is scheduled for review by the Plan Commission on September 20, 2010.]
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. All work in the public right of way shall be performed by a City-licensed contractor.
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 show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
12. 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.
13. 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.

14. 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 40% TSS (20 micron particle) off of new paved surfaces.
15. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) izenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
16. NR-151 of the Wisconsin Administrative Code is effective as of October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the Wisconsin Department of Natural Resources under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of

NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the 3 options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

17. 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).
18. 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.
19. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
20. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior 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 two working days prior to requesting City Engineering Division signoff.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following six (6) items:

21. When site plans are submitted for approval, the developer shall provide a recorded copy of the reciprocal land agreement for passage over, upon, across and through the facilities and ingress and egress for the loading zone and trash/recycling access located in the Target store loading bay. This land agreement for vehicular and pedestrian access shall be a perpetual, non-exclusive, unimpeded land agreement for the lots in the project. The reciprocal land agreement shall be recorded in the office of the Dane County Register of Deeds before submitting plans for final approval.
22. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

23. The applicant shall design the surface or underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
24. A Traffic Signal/Streetlight declaration of conditions and covenants shall be executed and returned with site plans. 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.
25. The applicant 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.
26. 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 Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following seven (7) items:

27. Off-street parking requirement shall comply with MGO Sections 28.04 (12) and 28.11: Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
28. Parking requirements for persons with disabilities must comply with MGO Section 28.11 (3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a.) Provide minimum of 5 accessible stalls striped per State requirements. A minimum of 1 of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c.) Highlight the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance or elevator as possible. Show ramps, curbs, or wheel stops where required.
29. Lighting is required and shall be in accordance with MGO Section 10.085: Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 footcandle at 10 feet from the adjacent lot line. (See City of Madison Lighting Ordinance).
30. Signage approvals are not granted by the Plan Commission. Signage must be approved by the Urban Design Commission and Zoning staff for compliance with MGO Section 31 (Street Graphics) and MGO Section 33.24 (Urban Design ordinance). Sign permits must be issued by the Zoning

Section of the Department of Planning and Community & Economic Development prior to sign installations.

31. Bike parking shall comply with MGO Section 28.11: Provide 73 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. Note: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
32. Parking and loading shall comply with MGO Section 28.11 (4): Provide (1) 10 x 35-foot loading area with 14 feet of vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
33. Revise ground floor parking plan on final plans in order to show 120 underground stalls. Upper right side corner shows 1 oversized stall, which could be drawn as two stalls.

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

34. The developer shall pay \$198,672.00 in park dedication and development fees for 96 new multi-family units. Fees in lieu of dedication = (96 units @ \$1,477) = \$141,792.00; Park development fees = (96 units @ \$592.50) = \$56,880.00, for a total park impact fee before credit of \$198,672.00. This development is within the Garner Park impact fee district (SI29). The developer must select a method for payment of park fees before signoff on the rezoning.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have any questions regarding the following three (3) items:

35. Site plans shall indicate the no build easement required for the proposed Target store.
36. Buildings with multiple street addresses will be required to have multiple fire service features such as key vaults, annunciator panels and fire department connections.
37. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.03(17) and 34.19, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes;
 - b.) IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height;
 - c.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered;
 - d.) A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of a fire lane that is more than 150-feet in length;
 - e.) Provide a minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant;

- f.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts;
- g.) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs;
- h.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet;
- i.) Provide a fire lane with the minimum clear unobstructed width of 20 feet;
- j.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact my office at 261-9632 if you have questions about the following five (5) items:

- 38. That the applicant receive final approval from the Urban Design Commission prior to recording of the Amended PUD-GDP-SIP and issuance of building permits. [Note: Final approval was granted by the UDC on September 1, 2010.]
- 39. That the applicant submit a Construction Traffic Management Plan for the proposed apartment building to the Planning Division and Traffic Engineering Division for approval prior to recording of this amended PUD-GDP-SIP. Said plan shall include but not be limited to identifying the scope of work for the project site, travel patterns of all heavy machinery accessing the site, the general location of any bus stops, sidewalks and/or pedestrian/ bike travel routes that will be closed or relocated during construction (including any temporary accommodations), and any signage required to implement this plan.
- 40. Pursuant to historic restrictions in the Hilldale Shopping Center PUD, no exterior construction work shall take place on Sundays. Construction work may begin as early as 6:00 a.m. other days with alder notification, for quiet activities such as pouring concrete.
- 41. That the applicant obtain a cross-access easement or other similar agreement from Target Corporation for the proposed loading zone proposed on the Target property prior to the final signoff and recording of the amended planned unit development. The easement or agreement shall be approved by Planning and Traffic Engineering staff and may be dedicated as part of the final plat of the Target ownership (Hilldale Hurrah final plat).
- 42. That the list of permitted uses in the zoning text be revised per Planning Division approval prior to final signoff and recording of the amended PUD-GDP-SIP to state "Multi-family residential uses as shown on approved plans".

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 building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

After the plans have been changed as per the above conditions, please file **ten (10) sets** of the final general development plan 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 signature of 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
John Leach, Traffic Engineering Division
Kay Rutledge, Parks Division
Scott Strassburg, Madison Fire Department
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"/>	Water Utility
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: