



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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November 30, 2016

Greg Held
Knothe & Bruce Architects, LLC
7601 University Avenue, Suite 201
Middleton, Wisconsin 53562

RE: Approval of a request to rezone property generally addressed as 604 South Point Road from SR-V2 (Suburban Residential–Varied 2 District) to TR-U1 (Traditional Residential–Urban 1 District) and approval of a conditional use for a residential building complex with 274 apartment units in five buildings (John McKenzie).

Dear Mr. Held;

At its November 22, 2016 meeting, the Common Council **approved** your request to rezone 604 South Point Road from SR-V2 to TR-U1. On November 7, 2016, the Plan Commission **approved** the conditional use for a residential building complex subject to approval of the rezoning and the following conditions of approval, which shall be satisfied prior to final approval of this request and the issuance of permits for new construction:

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following twenty (20) items:

1. Coordinate driveway locations, service lateral locations, and other private improvements that will or may have an impact on the proposed public improvements for Watts Road and Harvest Moon Lane with the project Engineering for the proposed public work assessment project. Glen Yoerger has been assigned as the project Engineer and can be reached at (608) 261-9177 or by email at gyoerger@cityofmadison.com.
2. The City shall make improvements to Watts Road and Harvest Moon Lane and assess the improvements to the property owners. The improvements shall consist of building the two roadways and public utilities along the lot frontages.
3. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
4. 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.

5. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary and Stormwater Management Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued. (Sanitary Sewer Impact fee includes lift station connection fee and interceptor fee)."
6. The construction of this project will require the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering 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. Note: Obtaining a developer's agreement generally takes approximately a minimum of 4-6 weeks.
7. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not need to be supplied or reviewed. The party responsible for the CAD file e-mail transmission shall include the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.
8. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). 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) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
9. 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; d) 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.

10. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. The draft document should be emailed to Tim Troester at ttroester@cityofmadison.com. The final document and fee shall be submitted to City Engineering.
11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below-building parking area(s) is/are served for drainage purposes. The buildings must be protected from receiving runoff up through the 24-hour, 100-year design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system, provide pump sizing calculations stamped by a Wisconsin P.E. or licensed plumber that show this requirement has been met.
12. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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 5.0-tons per acre per year.
13. This site appears to disturb over 1 acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.
14. The applicant shall provide for oil and grease control for the parking areas above ground.
15. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37.
16. 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 Madison General Ordinances.
17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
18. The applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Watts Road and Harvest Moon Lane in accordance with Section 66.0703(7)(b) of Wisconsin Statutes and Section 4.09 of MGO.

19. The approval of this zoning approval 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.
20. 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.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following two (2) items:

21. “South” is part of the base street name and shall not be abbreviated: South Point Road.
22. The applicant shall submit a PDF of all floor plans for each separate building to Lori Zenchenko (Lzenchenko@cityofmadison.com); so that a preliminary building and preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following ten (10) items:

23. The applicant shall work with Traffic Engineering to improve internal pedestrian circulation.
24. The applicant shall provide a 20-foot easement to the City for the purpose of constructing pedestrian and bicycle facilities along the west side of South Point Road between Mineral Point Road and Valley View Road.
25. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1” = 20’ and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
26. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

27. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
28. All parking facility design shall conform to the standards in MGO Section 10.08(6).
29. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
30. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
31. On Sheet A-1.0, there is a shift in the parking stalls and the drive aisle; work with Traffic Engineering to see if a standard, shift free, configuration will work.
32. The applicant shall provide a clearly defined 5-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

Please contact Bill Sullivan of the Madison Fire Department, at 261-9688 if you have any questions regarding the following two (2) items:

33. All portions of the fire lanes for 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.
34. MGO Section 34.503/IFC 503 Appendix D105: Provide an aerial apparatus access fire lane that is at least 26 feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter. Provide additional aerial access to Building 2 and Building 3.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following six (6) items:

35. Submit a complete fully dimensioned site plan, including lot line dimensions and building setbacks. Note that setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
36. Relocate the surface bicycle stalls outside of the front yard and street side yard setbacks. The surface bicycle stalls must be located within the building envelope. Provide bike rack details for the proposed ground mounted and wall mounted bike racks.

37. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). The surface angled accessible stalls must meet accessible stall requirements. Access aisles shall extend the full length of the parking spaces they serve.
38. Provide landscape plans pursuant to Sec. 28.142, Landscape Plan and Design Standards. The plans should include but are not limited to: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
39. Provide additional details of all site amenities, including patios, pool and grilling areas, and pergolas.
40. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

41. Note: The proposed development is outside Metro Transit's service area. The closest bus stop with scheduled bus service is just under two miles walking distance and the units would be greater than the three-quarters of a mile regulatory distance from all day scheduled bus service, that disqualifies any trips at this location for passengers who might otherwise be eligible for door-to-door paratransit service. The pedestrian access between this site and the scheduled bus service, located on Junction Road at Mineral Point Road, includes approximately three-quarters of a mile travel along the unimproved shoulder of County Highway S (Posted 45 mph).

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have any questions about the following two (2) items:

42. The Park Development Impact Fee per MGO Sec. 20.08(2) shall be required for all new residential development. The developer must select a method for payment of park fees before sign off on the rezoning. This development is within the Elver impact fee district (SI37). Please reference ID# 16148 when contacting Parks Division staff about this project.
43. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

Please contact my office at 261-9632 if you have any questions about the following two (2) items:

44. Submit a complete, fully dimensioned site plan for final staff approval that includes lot line dimensions and building setbacks.

45. That a restrictive covenant be recorded against Lot 2 of 1000 Oaks that restricts the number of dwelling units to be developed on that lot in combination with the 274 units on Lot 3 to not exceed approximately 27 units per acre. [This restriction will allow for approximately 100 dwelling units to be developed on Lot 2 subject to future approvals by the Plan Commission.] Further, the restrictive covenant on Lot 2 shall specify that at least 15 percent of the units to be developed on that lot will include three full bedrooms. The final form of the restrictive covenant on Lot 2 shall be approved by the Planning Division and shall be recorded prior to final plan approval and issuance of building permits for Lot 3.

The applicant is also required to satisfy the UDC conditions of approval 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.

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

Please now follow the procedures listed below for obtaining permits for your project:

1. After the plans have been revised per the above conditions, please file **nine (9) sets** of complete, fully dimensioned, and to-scale plans, 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, 126 S. Hamilton Street; First Floor. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on next page]
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building or occupancy permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division –Mapping Section
Eric Halvorson, Traffic Engineering Division
Jenny Kirchgatter, Assistant Zoning Administrator
Janet Schmidt, Parks Division
Bill Sullivan, Madison Fire Department
Tim Sobota, Metro Transit

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

LNDUSE-2016-00097			
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"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: