



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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www.cityofmadison.com

****BY E-MAIL ONLY****

April 21, 2022

Jeremy Frommelt
Iconica
901 Deming Way, Suite 102
Madison, Wisconsin 53717

RE: Approval of a request to rezone 1705-1713 S High Point Road from Temporary A (Agricultural District) to SR-V2 (Suburban Residential–Varied 2 District); consideration of a conditional use in the SR-V2 District for a school, public or private; consideration of a conditional use for a building or structure exceeding 10,000 square feet in floor area; and consideration of a conditional use pursuant to Section 28.141(6) of the Zoning Code to allow automobile parking exceeding the maximum allowed for the proposed use to allow construction of a private school (LNDUSE-2022-00016; ID 70480 & 69793)

Dear Jeremy;

On April 19, 2022, the Common Council approved your request to rezone 1705-1713 S High Point Road from Temp. A to SR-V2. On April 11, 2022, the Plan Commission found the standards met and **approved** your conditional use requests. Prior to issuance of building permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following nineteen (19) items:

1. Enter into a City / Developer agreement for required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
2. Construct sidewalk along S High Point Road and Mid Town Road to a plan as approved by City Engineer.
3. This development is subject to impact fees for the Upper Badger Mill Creek Storm Water Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO Ch. 20). Add the following note 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."
4. This property has deferred assessments for the S High Point Road Reconstruction Assessment District-2006 that are due and payable prior to final approval.

5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering sign-off.
6. Provide proof of septic system abandonment from Public Health–Madison and Dane County as a condition of plan approval.
7. An Erosion Control Permit is required for this project.
8. A Storm Water Management Report and Storm Water Management Permit is required for this project.
9. A Storm Water Maintenance Agreement (SWMA) is required for this project.
10. This site appears to disturb over one (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 at 273-5612 of the WDNR to discuss this requirement. No submittal to the Wisconsin Department of Natural Resources (WDNR), Capital area Regional Planning Commission (CARPC), or Department of Safety and Professional Services (DSPS) is required as the City of Madison is an approved agent for DSPS.
11. Revise the site plan 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.
12. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used.
13. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11- by 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
14. Demonstrate compliance with MGO Sections 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
15. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
16. Direct connection of the private storm sewer to the storm sewer in Mid Town Road is required.

17. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a PE registered in the State of Wisconsin.

Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering.

Detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

Reduce TSS by 80% off of the proposed development when compared with the existing site.

Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

18. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.

19. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following two (2) items:

20. The address of the proposed building is 1719 S High Point Road. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

21. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following eighteen (18) items:

22. The applicant shall construct sidewalk along their frontage of S High Point Road.
23. The applicant shall construct sidewalk along their frontage of Mid Town Road.
24. The applicant shall construct curb ramps and install a crosswalk to cross S High Point Road at Mid Town Road. The applicant shall be responsible for any pavement marking alterations needed.
25. The applicant shall submit a study, to be reviewed by Traffic Engineering and Engineering staff, to ensure that adequate sight distance exists at the two proposed driveways.
26. The applicant shall submit a student drop-off and pick-up plan for review. This plan shall include the number of students, estimated modes of arrival by percentage, estimated arrival times, and any requested passenger loading zones. [Note: Consistent with the Traffic Engineer's recommendation, the project was approved with one-way operation to reduce conflicts.]
27. One-way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the exit.
28. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions 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.
29. 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.
30. 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.
31. All parking facility design shall conform to the standards in MGO Section 10.08(6).

32. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
33. All pedestrian walkways adjacent parking stalls shall be seven feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by the Traffic Engineering Division.
34. The applicant shall provide a clearly defined five-foot walkway from the front door to the public right of way 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.
35. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/ regulatory signage and pavement markings on the site shall be shown and noted on the plan.
36. The applicant shall show the dimensions for the proposed Class III driveway, including the width of the drive entrance, width of the flares, and width of the curb cut.
37. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
38. The applicant shall enter into a signed developer agreement through City Engineering prior to sign-off.
39. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible, and little to no access to the public right of way of S High Point Road will be granted for construction purposes. Provide a detailed construction plan to Traffic Control Specialist Mike Duhr for review prior to final signoff.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have questions about the following six (6) items:

40. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (4 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.
41. Bicycle parking for the school shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 55 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Bicycle stalls located further than 100 feet from the principal entrance will require a bicycle parking adjustment. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.

42. Provide elevations demonstrating compliance with Sec. 28.129 bird-safe glass requirements. For building façades where the first 60 feet from grade are comprised of greater than or equal to 50% glass, at least 85% of the glass must be treated. All glass within 15 feet of a building corner must be treated when see through or fly through conditions exist. For building façades where the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
43. Work with Zoning and Planning staff to provide an appropriate transition between the proposed school and parking lot and the abutting residential property to the east at 7602 Mid Town Road. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
44. 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.
45. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Bradley Hofmann of the Forestry Section at (608) 267-4908 if you have any questions regarding the following four (4) items:

46. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
47. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period, which shall include the notification of the alderperson within whose district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
48. City Forestry will issue a street tree removal permit for 17 trees (5 along S High Point Road and 12 along Mid Town Road) due to sidewalk installation and grade changes. The contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

49. Additional street trees are needed for this project. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: "At least one week prior to street tree planting, the contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper."

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following item:

50. Ensure all exit discharges have a clear path out to the public way.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following item:

51. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact my office at (608) 261-9632 if you have questions about the following five (5) items:

52. The applicant shall work with Planning and Zoning staff prior to final approval and issuance of permits to provide an appropriate transition between the proposed school and parking lot and the abutting residential property to the east at 7602 Mid Town Road using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
53. The applicant shall work with Planning staff prior to final sign-off to clarify on Sheet L-1.0 and other relevant sheets where existing trees may be preserved following construction of the school, particularly along the eastern property line abutting the apartment complex at 7602 Mid Town Road.
54. The final plans shall include a pedestrian connection between the public sidewalk to be built along S High Point Road and the main entrance at the northwestern corner of the school.
55. Consistent with the recommendation of the Traffic Engineering Division, that circulation through the site be converted to a one-way operation, with the ingress to be provided by the southern driveway and egress provided through the northern driveway. The revised plan implementing this condition

shall receive final approval by the Planning Division and Traffic Engineering Division prior to issuance of building permits.

56. The site plan shall be revised to include dimensions for the accessory building to remain, including the dimensions of the footprint and square-footage, and the setback from the northern property line.

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

A letter containing the conditions of approval for the related one-lot Certified Survey Map for the project will be sent separately.

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

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. 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 last page]
4. 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 permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Asst. Zoning Administrator
Bill Sullivan, Madison Fire Department
Bradley Hofmann, Forestry Section
Jeff Belshaw, Madison Water Utility

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-2022-00016			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (T. Parks)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☐	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coordinator
☒	Fire Department	☐	Other:
☐	Water Utility	☒	Other: Forestry Section