

PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of April 4, 2007

RE: I.D. # 05799: Zoning Map Amendment I.D. 3252 To Rezone 602 Bear Claw Way from R4 to R5 and I.D. #06069, Conditional Use Application for the same

1. Requested Actions: Approval of a request to rezone 602 Bear Claw Way from R4 (General Residence District) to R5 (General Residence District) and approval of a conditional use to allow construction of an 18-unit townhouse building.
2. Applicable Regulations: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner, and other Planning Division staff.

GENERAL INFORMATION

1. Applicant & Property owner: Christopher Homes, Inc.; PO Box 930096; Verona; David Hull, representative.
2. Development Schedule: The applicants wish to commence construction in summer 2007, with completion scheduled for March 2008.
3. Location: Approximately 1.2 acres located approximately 1,000 feet south of Old Sauk Road on the northwest side of Bear Claw Way, Aldermanic District 9; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped lands, zoned R4 (General Residence District).
5. Proposed Land Use: The applicant proposes construction of an 18-unit townhouse building following the rezoning of the site to R5 (General Residence District).
6. Surrounding Land Use and Zoning:
North: The Jefferson adult living community, zoned PUD-SIP; multi-family townhouses, zoned R4 (General Residence District) on the west side of Bear Claw Way;
South: Sauk Heights Park;
East: Duplexes, zoned R3 (Single and Two-Family Residence District); multi-family townhouses, zoned R4;

West: Undeveloped agricultural land and single-family residences on large tracts in the Town of Middleton.

7. Adopted Land Use Plan: The Elderberry Neighborhood Development Plan identifies the subject site and adjacent properties to the north and northeast for medium-density residential uses.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor. The parkland to the south of the site is shown as public lands on the corridor map.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments and conditional uses.

PREVIOUS APPROVALS

On April 8, 2003, the Common Council approved a request to rezone 56.5 acres located a half-mile west of Pleasant View Road between Old Sauk Road and Elderberry Road from Temporary A (Agriculture District) to R2 (Single-Family Residence District), R3 (Single and Two-Family Residence District), R4 (General Residence District) and C1 (Limited Commercial District), and; approved of a preliminary plat for 116 single-family lots, 9 duplex lots, two lots for future multi-family development and two lots for future neighborhood commercial development. The plat also proposed outlots for public stormwater detention and parkland. The Common Council approved a final plat of the same on July 1, 2003, which was recorded on February 11, 2004.

The larger of the two R4-zoned lots identified for multi-family development was subsequently divided into four lots by Certified Survey Map in May 2004, of which the subject site is Lot 4. The largest of the four lots, Lot 1, was developed as an adult living community in PUD zoning, while the other two lots were approved for six and eight-unit townhouse condominiums.

PLAN REVIEW

The applicant is requesting approval to rezone 1.2 acres located approximately 1,000 feet south of Old Sauk Road on the northwest side of Bear Claw Way from R4 to R5, and approval of a conditional use to allow construction of an 18-unit townhouse building on the same property. The proposed townhomes will be located southwest of two other townhouse projects currently under construction at 602 and 614 Bear Claw Way, and to the south of the 115-unit Jefferson

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retirement community located at 9401 Old Sauk Road. Sauk Heights Park is located immediately south of the site across Bear Claw Way.

The 18-unit townhouse building proposed will consist of two rows of nine units back to back located atop a 36-space underground parking garage. Each two-bedroom, two bath townhouse unit will have approximately 1,590 square feet of living space, a front porch entry and stairwell leading to two of the spaces located in the basement parking area. A 9-space visitor parking lot is proposed along the northern property line. Both the surface parking lot and underground parking will have access from Bear Claw Way via a shared driveway on the townhouse property at 614 Bear Claw, which also serves as a secondary access to the retirement community to the north. An easement on the CSM creating the subject lot and two adjacent multi-family lots does not grant this site vehicular access, requiring that the easement be amended to allow the access layout proposed.

The proposed building will primarily be sided with horizontal lap siding with accent brick to be used surrounding the unit entrances and along the exposed exterior wall of the basement garage. The applicant proposes use of alternating projections and recesses and shed dormers in the roof to provide the building with greater visual interest and relief along the long front and rear walls. Planning Division staff felt that the elevations as submitted resulted in an underwhelming street façade, in particular, and referred the proposed conditional use to the Urban Design Commission for review as allowed in Section 28.12 of the Zoning Ordinance. The Urban Design Commission reviewed the townhouse proposal on March 21, 2007 and granted initial approval.

Inclusionary Zoning: The applicant indicates that the 18 units proposed will be **rental** units, and are therefore exempt from the rental component of the Inclusionary Zoning Ordinance, which was voided by the State Court of Appeals in August 2006.

ANALYSIS & CONCLUSION

The applicant is requesting approval to rezone the 1.2-acre site from R4 to R5, and a conditional use to allow construction of an 18-unit townhouse development. The site is recommended in the Elderberry Neighborhood Development Plan for medium-density residential uses with a density of 12-16 units per acre. The proposed development will result in a density of 15 units per acre, which falls within this recommended density range.

The request to rezone the property is borne of a restriction in R4 zoning that limits the number of multi-family units developed on an R4-zoned lot to eight. The site does not qualify as a planned residential development, which permits greater than eight units to be built on an R4-zoned parcel if the project includes two or more buildings on a site of 1.5-acres or larger. R5 zoning, however, contains no such limitation on the number of multi-family units that can be constructed and

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would permit an 18-unit building as a conditional use following Plan Commission approval if it met the bulk, mass and density provisions of the district. The applicant asserts that the 18-unit building proposed complies with all of the minimum bulk, mass and density requirements of the R4 zone, including the minimum lot area, usable open space, and all required yards. Note: The Zoning Administrator indicates that the project may not provide all of the 9,000 square feet of open space required (see attached memo).

R4 zoning is generally intended to serve as the least densely developed multi-family district in the Zoning Ordinance. Staff was unable to document the specific reason for the eight-unit restriction, but note that it was a provision was part of the original 1966 version of the Zoning Ordinance, which is the current ordinance of record. Staff believes that the eight-unit restriction was generally intended to limit the size and mass of individual multi-unit buildings in the R4 district and to serve as a transition zone between the one and two-family dwellings permitted in R3 and the larger and more dense development permitted in R5 and R6.

R4 zoning generally permits up to 21.78 units per acre based on a minimum of 2,000 square feet of lot area per unit for units up to two bedrooms. The maximum allowed density in R4 could theoretically result in 26 units being possible on the 1.2-acre subject site provided usable open space standards and the other requirements of the district could be met (including the eight-unit limit).

At the time that the Sauk Heights plat was considered in 2003, the ultimate density of the two multi-family lots, of which this site is part of one, was not specified as part of the application materials, nor considered as part of the land use approvals. The overall density of the project is within the range allowed in R4 zoning, and staff sees nothing in the plat approval that could potentially restrict how many units can be developed on the R4-zoned tracts in the development.

The request to rezone to R5 therefore appears to be solely based on the applicant's desire to exceed the eight-unit restriction that governs detached multi-family buildings in R4 zoning. The issue, then, is whether this large 18-unit building is an improvement over the alternate developments that would be allowed in R4 zoning. The Plan Commission is required by the Zoning Ordinance to make a determination in its recommendation to the Common Council that a rezoning is for the public benefit with due consideration of the master plan and not solely for the benefit of the applicant. The proposal is consistent with the land use and density recommendations of the Elderberry Neighborhood Development Plan and the design can be modified as recommended by the Urban Design Commission to result in a development at least better than what was originally submitted.

RECOMMENDATION

The Planning Division recommends that if the Plan Commission can make the determination that the proposed zoning map amendment is for the public benefit and not solely for the benefit of the applicant, it forward Zoning Map Amendment 3252, rezoning 602 Bear Claw Way from R4 (General Residence District) to R5 (General Residence District) to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the plan set be revised per Planning Division approval as follows:
 - a.) the number of spaces noted in the visitor parking lot shall coincide with the number of spaces shown on the plans;
 - b.) the landscaping plan shall note the size of species proposed;
3. That the applicant record an amended cross-access easement between the subject site and Lots 1 and 3 of Certified Survey Map 11080 that grants the subject property access rights to the shared driveway shown on the attached plans prior to final approval of this project, and that references to the amended easement be provided on the final plans.

REPORT OF: URBAN DESIGN COMMISSION**PRESENTED:** March 21, 2007**TITLE:** 602 Bear Claw Way, Rezoning R4 to R5,
Eighteen Unit Building, Planning Staff
Referral. 9th Ald. Dist. (05939)**REFERRED:****REREFERRED:****REPORTED BACK:****AUTHOR:** Alan J. Martin, Secretary**ADOPTED:****POF:****DATED:** March 21, 2007**ID NUMBER:**

Members present were: Paul Wagner, Chair; Ald. Noel Radomski, Lou Host-Jablonski, Todd Barnett, Bruce Woods, Lisa Geer and Michael Barrett.

SUMMARY:

At its meeting of March 21, 2007, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a rezoning for an 18-unit building located at 602 Bear Claw Way. Appearing on behalf of the project was David Hull. Prior to the presentation, staff noted that consideration of the project was the result of a Planning staff referral based on concerns relevant to the size and placement of a proposed 18-unit structure on the site as part of a rezoning from R4 to R5 General Residence District. Staff noted that the size of the site at 1.21 acres limited its development to only an 8-unit structure. In order to develop the site more densely, the applicant has chosen to rezone the site from its present R4 zoning designation to R5 which would allow for the development of 18-units on the site. Staff noted that the R4 zoning would have allowed for additional densities if the size of the parcel was an additional .29 acres in size (1.5 acres). Hull provided an overview of the development proposal emphasizing that vertical separations within the roofline were utilized as a mechanism to break up the long mass of the proposed building. Following the presentation, the Commission noted the following:

- Issues with the lack of effective screening between the surface parking lot at the rear of the property and adjoining properties. Hull noted that he could provide staggered landscape screening within this area, and that the proposed landscape plan didn't provide details on a required detention area, including surrounding landscaping. It was noted that the detention area should utilize wet bio-plantings.
- The shade trees between the property's Bear Claw Way frontage and face of the building should be replaced with large canopy/shade trees.
- The brick at entries conflicts with the application of siding in the same plane; brick should have something to terminate to, not to vinyl siding except in recesses.
- Usable outdoor space close to the units should be provided, in addition to having porches at grade.
- The rear elevation could be modified to redo porches as patios along with the incorporation and development of adjacent greenspace. Enlarge porches on the front elevation and examine creating separate patio area with opposing orientation at the rear of the building.
- For scale purposes consider making paired dormers into one large single dormer.
- Provide exterior lighting details with further review of the project.
- Simplify sidewalk connections to the street from an elevation porches/stoops. One walk per paired stoop.

- Add or show existing trees in the northwest corner of the site adjacent to the omitted detention area.

ACTION:

On a motion by Host-Jablonski, seconded by Geer, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a unanimous vote of (7-0). The motion required address of the above stated concerns with final consideration of the project.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 5, 5, 6, 6, 6 and 6.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 602 Bear Claw Way

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	5	6	5	5	-	5	4	5
	5	5	6	-	-	5	5	5
	-	-	-	-	-	-	-	6.5
	6	6	6	-	-	6	6	6
	7	6	6	5	-	7	7	6
	5	5	5	-	-	5	5	5
	6	6	6	-	-	6	5	6

General Comments:

- Architecture is OK. The dormers are a nice touch, but combine the double dormers to match the scale of the roof.
- Redo brick at entries – should not be in same plane as adjacent vinyl siding – terminate brick at inside corners.
- Good start. Some site plan and landscaping improvements, plus some tweaks to the architecture will be a significant improvement.
- Add screening along the parking lot and drive. Coordinate detention proposed with the landscape plan.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: March 15 2007
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer *Larry D. Nelson*
SUBJECT: 602 Bear Claw Way Conditional Use & Rezoning

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Proposed site plans show an inter-dependency on the adjacent lot for drainage. Provide evidence of easement or agreement that allows this shared drainage.
2. The revised property address for this site is 548 Bear Claw Way to accommodate the change from 8 unit condo to 18 unit townhouses.
3. The correct legal description of the property is Lot 4, Certified Survey Map No. 11080.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 602 Bear Claw Way Conditional Use & Rezoning

General

- 1.1 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.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.

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- 1.5 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.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use 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. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 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

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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.

- 3.12 The Applicant shall replace all sidewalk and curb and gutter which 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 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 Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.

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- 4.12 The Applicant shall submit, prior to plan sign-off, 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 the following data, each on a separate layer name/level number:
- 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
 - g) Lot numbers
 - h) Lot/Plat dimensions
 - i) Street names

NOTE: Email file transmissions preferred izenchenko@cityofmadison.com . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on 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 WDNR 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 three (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.

- 4.14 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 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.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

Utilities General

- 5.1 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.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevations, and alignment of the proposed service.

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Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

March 26, 2007

TO: Plan Commission
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager
SUBJECT: **602 Bear Claw Way – Rezoning – R4 to R5 - 18 Unit Apartments**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. The applicant shall provide scaled drawing at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semitrailer and vehicle movements, ingress/egress easements and approaches.
4. 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), 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'.
5. A "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches. All signs at the approaches shall be installed behind the property line. All directional/regulatory

signage and pavement markings on the site shall be shown and noted on the plan.

6. The applicant shall design the underground and surface 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 applicant shall dimension all surface and underground parking according to M.G.O. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
7. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
8. The Developer 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.
9. 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 John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: David Hull
Fax: 608-424-3444
Email: david@christopherhomes.net

DCD: DJM: dm

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**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: March 21, 2007

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 602 Bear Claw Way

Present Zoning District: R-4

Proposed Use: 18 unit apartment building

Requested Zoning District: R-5

Conditional Use: 28.08(6)(e)9 Multi-family dwellings are a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide **18** 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 two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
2. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. **Note: The landscape plan shall include the whole site.**
3. Lighting is required. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance)
4. Show addresses of dwelling units on the final site plan. Contact Lori Zenchenko of City Engineering at 266-5952 to obtain addresses.

5. The plans and letter of intent shall be consistent.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	23,400 sq. ft.	52,745 sq. ft.
Lot width	50'	adequate
Usable open space	5,760 sq. ft.	6,262 sq. ft. +
Front yard	20'	adequate
Side yards	6' min., 15' total side yards	23' min. 51' total
Rear yard	30'	adequate
Building height	2 stories	2 stories

Site Design	Required	Proposed
Number parking stalls	27 (min. 4 surface stalls)	36 garage <u>9 surface</u> 45 total
Accessible stalls	n/a	n/a
Loading	1 (10' x 35')	provided in drive aisle
Number bike parking stalls	18	(1)
Landscaping	Yes	(2)
Lighting	Yes	(3)

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	None shown
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	No (townhouse units)

With the above conditions, the proposed project **does** comply with all of the above requirements.