



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 9502-9510 Watts Road

**Application Type:** Zoning Map Amendment, Demolition Permit, Conditional Use–Residential Building Complex, and Certified Survey Map Referral

**Legistar File ID #** [56866](#), [56548](#), and [56577](#)

**Prepared By:** Timothy M. Parks, Planning Division

Report includes comments from other City agencies, as noted

**Reviewed By:** Kevin Firchow, Planning Division

## Summary

**Applicant & Property Owner:** Dan Schmidt, Forward Management, Inc./ The Edison, LLC; 826 North Star Drive; Madison.

**Contact Person:** Brian Munson, Vandewalle & Associates; 120 E. Lakeside Street; Madison.

**Surveyor:** Brett Stoffregan, D’Onofrio Kottke & Associates; 7530 Westward Way; Madison.

### Requested Actions:

- ID 56866 – Approval of a request to rezone a portion of a lot addressed as 9502 Watts Road from TR-P (Traditional Residential–Planned District) to CC-T (Commercial Corridor–Transitional District), and amending the TR-P master plan for the “Acacia Ridge” subdivision;
- ID 56548 – Consideration of a demolition permit to allow the single-family residence at 645 South Point Road to be demolished; consideration of conditional uses in the Commercial Corridor-Transitional (CC-T) and Traditional Residential-Planned (TR-P) zoning districts for multi-family dwellings with eight (8) or more units; consideration of conditional uses in the CC-T and TR-P districts for a residential building complex with three buildings containing 189 apartments and flex space; and consideration of conditional uses in the CC-T and TR-P districts for outdoor recreation for the complex.
- ID 56577 – Approval of a Certified Survey Map (CSM) to re-divide two lots to accommodate the residential building complex.

**Proposal Summary:** The applicant is requesting approval to construct 189 apartment units with a pool and common room in two buildings on Lots 16 and 17 of the Acacia Ridge subdivision. To accommodate the request, the applicant is requesting approval to rezone a portion of Lot 17 to CC-T so that the building proposed to face Watts Road may be located in one zoning district. The plans call for 3,470 square feet on the first floor at the southwest corner of Building A to initially be constructed as residential units with the potential to be converted to commercial space in the future. A CSM is proposed to reconfigure the two existing lots to accommodate the proposed buildings and rezoning. A single-family residence and accessory agricultural buildings located on the western portion of the property will be demolished to accommodate the new development. The applicant wishes to commence construction as soon as all regulatory approvals have been granted, with completion of the buildings planned for 2022.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations. Table 28C-

1 in Section 28.032(1) of the Zoning Code identifies residential building complexes as a conditional use and outdoor recreation and management offices as conditional accessory uses in TR-P (Traditional Residential–Planned District), and Table 28D-2 in Section 28.061(1) of the Zoning Code identifies multi-family dwellings with eight or more units and residential building complexes as conditional uses, and outdoor recreation and management offices as conditional accessory uses in CC-T (Commercial Corridor–Transitional District), all subject to supplemental regulations in Section 28.151. Section 28.067(4)(a) requires that a multi-tenant building exceeding 40,000 square feet in floor area be approved as a conditional use. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits. Review by the Urban Design Commission is required per Section 33.24(4)(c) of the Urban Design Commission ordinance.

**Review Required By:** Urban Design Commission (residential building complex), Plan Commission (all requests), and Common Council (rezoning and land division requests).

**Review Schedule:** The State’s subdivision statute, Wis. Stats. 236, requires that a Certified Survey Map be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The proposed preliminary plat application was submitted to the City for the June 26 2019 application deadline. Therefore, the 90-day review period for this plat is scheduled to expire circa September 26, 2019.

**Summary Recommendation:** If the Plan Commission can find the standards for approval met, it should forward Zoning Map Amendment ID 28.022–00403, rezoning a portion of 9502 Watts Road from TR-P to CC-T and amending the Acacia Ridge TR-P master plan, and the two-lot Certified Survey Map to re-divide the subject site to the Common Council with recommendations of **approval**, and find the standards met to **approve** a demolition permit for 645 South Point Road and conditional use–residential building complex at 9502-9510 Watts Road, all subject to the Urban Design Commission approval of the residential building complex, input at the public hearing, and the conditions from reviewing agencies beginning on page 10 of this report.

## Background Information

**Parcel Location:** The subject site is an approximately 5.6-acre parcel that extends along the north side of Watts Road between South Point Road and Feather Sound Drive; Aldermanic District 9 (Skidmore); future Madison Metropolitan School District.

**Existing Conditions and Land Use:** Single-family residence and accessory agricultural buildings on Lot 16 of Acacia Ridge, zoned CC-T (Commercial Corridor–Transitional District), and undeveloped land on Lot 17, zoned TR-P (Traditional Residential–Planned District).

### Surrounding Land Use and Zoning:

**North:** Single-family residence along South Point Road in the Town of Middleton; single-family residences in the Cardinal Glenn subdivision, zoned TR-C3 (Traditional Residential–Consistent 3 District); future single-family residences in the Acacia Ridge subdivision along the south side of Harvest Moon Lane, zoned TR-P (Traditional Residential–Planned District);

**South:** City of Madison stormwater management outlot and future single-family residences in the Acacia Ridge subdivision, zoned TR-C3;

**East:** Future single-family residences and private open space in the Acacia Ridge subdivision, zoned TR-P;

**West:** Timber Valley Apartments, zoned TR-U1 (Traditional Residential–Urban 1 District); City stormwater management outlot in the 1000 Oaks subdivision.

**Adopted Land Use Plans:** The subject parcels are located within the boundaries of the [Pioneer Neighborhood Development Plan](#), which recommends that the northeastern corner of South Point and Watts Roads be developed with neighborhood mixed use development, with the adjacent parcel recommended for Residential Housing Mix 3.

The same parcels are recommended for Neighborhood Mixed-Use and Medium Residential in the 2018 [Comprehensive Plan](#).

**Environmental Corridor Status:** The subject site is not located in a mapped corridor.

**Public Utilities and Services:** The subject site will be served by a full range of urban services as it develops with the exception of Metro Transit, which currently does not provide service west of Junction Road.

**Zoning Summary:** The following bulk requirements apply:

Requirements for:	Required in CC-T zoning	Proposed
Lot Area (sq. ft.)	750 sq. ft. per unit (110,250 sq. ft.)	176,592 sq. ft.
Front yard setback	65' maximum	25' (Watts Road)
Side yard setback	10'	17' on east and west yards
Rear yard	Lesser of 20% of lot depth or 20'	Adequate
Usable open space	160 sq. ft. per one-bedroom unit; 320 sq. ft. for greater than one-bedroom units (32,480 sq. ft.)	Adequate (See conditions)
Maximum lot coverage	85%	Less than 85% (See conditions)
Maximum Building Height	5 stories/ 68'	4 stories/ 60'
Requirements for:	Required in TR-P zoning	Proposed
Lot Area (sq. ft.)	600/unit + 300 per bedroom greater than two (26,100 sq. ft.)	68,389 sq. ft.
Front yard setback	15'	21'
Max. Front Yard Setback	30 ft. or up to 20% greater than block average	21'
Side yard setback	10'	Adequate
Rear yard	Street-accessed: 20'	Adequate
Usable open space	140 sq. ft. per unit (5,880 sq. ft.)	Adequate (See conditions)
Maximum lot coverage	75%	Less than 75% (See conditions)
Maximum Building Height	4 stories/ 52'	3 stories/ 48'

Automobile parking:	Not required in CC-T; 1 per unit in TR-P (42)	131 surface stalls, 181 underground stalls (312 total stalls) (See conds.)
Loading	N/A	0
Bicycle parking	Multi-family dwelling: (CC-T) 1 per unit up to 2-bedrooms, half space per additional bedroom (150); 1 guest space per 10 units (15); (TR-P) 1 per unit up to 2-bedrooms, half space per add. bedroom (43)	38 surface stalls, 179 underground stalls (217 total stalls) (See conditions)
Building Form	Large Multi-Family Building	(See conditions)
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design (Residential Building Complex), Barrier Free, Utility Easements	
No:	Floodplain, Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Parkland	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

## Previous Approvals

The subject site was attached to the City of Madison from the Town of Middleton on June 6, 2017.

On October 31, 2017, the Common Council approved a request to rezone 645-703 South Point Road from Temporary A (Agricultural District) to TR-P (Traditional Residential–Planned District), TR-C3 (Traditional Residential–Consistent 3 District) and CC-T (Commercial Corridor–Transitional District), and; approved the preliminary plat of *Acacia Ridge*, creating 406 single-family lots, six lots for three (3) two-family-twin dwellings, one lot for future multi-family development, one lot for future mixed-use development, one outlot for a public park, one lot for a future public school, four outlots for private open space, and outlots to be dedicated to the public for stormwater management, alleys, and sidewalks.

On June 19, 2018, the Common Council approved a request to amend the TR-P (Traditional Residential–Planned District) master plan for the *Acacia Ridge* subdivision to add six single-family residences to the approved planned district and release a condition of the previous approval that restricted the height of future apartment buildings on Lot 17 to two stories, and; approved a revised preliminary plat and the final plat of *Acacia Ridge*, creating 412 single-family lots, six lots for three (3) two-family-twin dwellings, one lot for future multi-family development, one lot for future mixed-use development, one outlot for a public park, one lot for a future public school, four outlots for private open space, and outlots to be dedicated to the public for stormwater management, alleys, and sidewalks. The final plat was recorded on February 25, 2019.

## Project Description

The applicant is requesting approval to construct 189 apartment units with a pool and common room in two buildings on Lots 16 and 17 of the *Acacia Ridge* subdivision. The 5.6-acre subject site extends along the north side of Watts Road between South Point Road and Feather Sound Drive on the western edge of the larger 134.5-acre subdivision.

The J-shaped parcel is currently developed with a single-family residence and accessory buildings on the western half of the property, which is characterized by approximately 15 feet of grade change from the northeasternmost corner of the site to the intersection of South Point and Watts Roads. The applicant is proposing to demolish the residence and accessory buildings to accommodate the proposed development. Photos of the interior of the house and exterior of house are included in the Plan Commission materials.

The plans call for the proposed multi-family development consist of a three- and four-story U-shaped building that will front onto the north side of Watts Road and wrap both the South Point Road and Feather Sound Drive corners. The plan materials break the building (considered one for code purposes) into the four-story "Building A" and three-story "Building B," which will be connected by a one-story common building with fitness room, management office and community room. Building A will include 84 apartments, with 63 units proposed in Building B. The remaining 42 units in the 189-unit development will be located in a separate, L-shaped "Building C" to be located north of "Building B" on the west side of Feather Sound Drive. A pool and deck are proposed adjacent to the north wall of the one-story common building connecting Buildings A and B.

The floorplans indicate that 3,470 square feet of space on the first floor of Building A will initially be constructed as residential units with the potential for that space to be converted to commercial use in the future. The proposed commercial square-footage will be located at the southwest corner of the building adjacent to the South Point-Watts intersection. The submitted plans do not include a conceptual floorplan for how the commercial space will be configured, and the proposed elevations do not include a conceptual design for the exterior of the building to illustrate how the commercial space may look upon conversion.

The 189 apartments proposed will consist of 21 studios, 94 one-bedroom units, 64 two-bedroom units, and ten three-bedroom units. Parking for the project will be provided in a total of 181 auto parking stalls to be located in underground garages below each building, with 131 auto parking stalls to be located in a surface parking lot along the northern and western edges of the site. Bike parking will be provided in 217 spaces located primarily in the three buildings.

At present, the western approximately 2.5 acres of the site that comprises Lot 16 is zoned CC-T (Commercial Corridor-Transitional District), which was established at the time of platting consistent with a recommendation in the 2004 Pioneer Neighborhood Development Plan to develop the northeastern corner of South Point and Watts with residential-commercial mix, while Lot 17 is zoned TR-P and has historically been planned for medium-density residential uses through two iterations of the Pioneer plan. To accommodate the construction of the U-shaped Building A/B, the applicant is requesting to rezone the southern portion of Lot 17 to CC-T so that the building proposed may be located in one zoning district. A CSM is also proposed to reconfigure the two existing lots to accommodate the proposed buildings and rezoning.

## **Supplemental Regulations**

***The requirements for the Traditional Residential-Planned (TR-P) District are included in Appendix A at the end of this report.***

Residential building complexes, which are defined as "a group of two or more residential buildings on a single parcel or tract of land, developed under single ownership and common management" are conditional uses in the

TR-P and CC-T zoning districts and are subject to the following supplemental regulations in Section 28.151 of the Zoning Code (as applicable):

- (a) Recreational areas may be required to serve the needs of the anticipated population.
- (b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
- (c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.
- (d) 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.
- (g) Shall be reviewed by the Urban Design Commission pursuant to Sec. 33.24(4)(c), MGO.
- (h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- (i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.

Outdoor recreation is defined as “a facility for outdoor conduct, viewing, or participation in recreational activities, which may include one or more structures...” including but not limited to swimming pools and similar such uses, which are subject to the following supplemental regulations in Section 28.151:

- (a) A minimum 25-foot setback area maintained as open space shall be provided along the perimeter of the site wherever it abuts a residential district.
- (b) If the use will be available to the general public, an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate shall serve the site. Ease of access to the site by automobiles, transit, bicycles, and pedestrians shall be considered as a factor in the review of any application.
- (c) The site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.
- (d) 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.

## Analysis

This request is subject to the approval standards for demolition permits, conditional uses, zoning map amendments, and land divisions. In order to approve the proposed multi-family development, the Plan Commission shall recommend to the Common Council whether the proposed rezoning of a portion of Lot 17 from TR-P to CC-T is consistent with adopted plans, and shall find that the applicable conditional use and demolition permit standards are met. In order to approve the proposed rezoning, the Common Council shall find that the zoning map amendment is *consistent with* the City’s Comprehensive Plan as required by Chapter 66.1001(3) of

Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." Further, the Plan Commission shall not approve a conditional use without due consideration of the recommendations in the Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans

The subject site is located within the boundaries of the Pioneer Neighborhood Development Plan, which was first adopted in 2004 and amended in 2018 to provide detailed land use, utility/service, design, and transportation recommendations for the area of the existing and future City roughly bounded by Pioneer Road on the west, Junction Road on the east, Valley View Road on the south, and Mineral Point Road on the north. The 2018 neighborhood development plan and Comprehensive Plan recommends that the Lot 16 portion of the subject site be developed as neighborhood mixed-use development, while Lot 17 is recommended for Residential Housing Mix 3 (HM3) and Medium Residential, respectively.

The characteristics of neighborhood mixed-use districts in the Pioneer Neighborhood Development Plan include commercial development intended to be neighborhood-scale and designed to accommodate neighborhood-oriented businesses providing goods and services to nearby residents. Residential uses are encouraged and anticipated as part of the neighborhood mixed-use districts to add vibrancy, especially in the evenings and on weekends when some non-residential uses may not be in operation. Residential uses above ground floor storefronts are particularly encouraged at appropriate locations. The neighborhood development plan recommends that exclusive residential buildings be allowed in neighborhood mixed-use districts in less prominent locations, such as on local street frontages or within interior courtyards.

Buildings heights between two and four stories are recommended in the neighborhood mixed-use districts, with taller buildings possible in select locations. The site designs of development projects and the adjacent Residential Housing Mix (HM) districts are recommended to create an engaging relationship between residential and non-residential activities and encourage pedestrian movement among the various uses and activities. The plan notes that high-quality architectural and urban design is "a critical component of mixed-use development," and designs are recommended to be pedestrian-oriented and integrated into the neighborhood, rather than dominated by large setbacks and parking areas of exclusively commercial corridors. The Pioneer plan references Sequoia Commons, University Crossing and Grandview Commons are examples of the general character intended for the neighborhood mixed-use districts within the planning area.

The HM3 district is generally recommended for the development of townhouses and apartment buildings with a net density of between 20-40 units per acre. Buildings in HM3 are recommended to be between two and four stories in height. HM3 development is generally recommended to encourage higher residential densities at locations close to mixed-use areas, transit and parks in order to increase activity and support the development of neighborhood-serving businesses. Multi-family developments should include a mix of unit sizes, including larger two and three-bedroom units suitable for families with children. In general, an urban character of design and architecture is recommended in HM districts, with buildings oriented to and fronting on adjacent streets.

As noted previously, the subject site is currently zoned in the CC-T and TR-P districts and the proposed Building A/B crosses the existing zoning boundary. The applicant is proposing to expand the CC-T zoning of Lot 16 east onto the southern approximately half of Lot 17 in order to allow Building A/B to be located in one zoning district, with a CSM proposed to reconfigure the platted lots to reflect the building placement and zoning proposed.

While broken into three above-grade components, the Building A/B has an approximate length of 395 feet along Watts Road. The request to expand the CC-T zoning district is intended to facilitate construction of this building by providing consistent zoning for what will be an exclusively residential building, at least initially. While the boundaries between recommended land use districts in the Comprehensive Plan or a neighborhood-level plan are seldom intended to be applied as specifically as zoning district boundaries, staff notes that the adopted plans do not recommend the expansion of the CC-T district across the subject site.

While the residential aspects proposed are generally consistent with the residential recommendations for the site – both in the HM3 district and as a component of mixed-use development – the Planning Division has concerns regarding the proposal’s ability to implement the non-residential components of the mixed-use recommendation for the corner of Watts and South Point. Unlike other larger mixed-use areas, this planned mixed-use area is limited to Lot 16 and does not extend beyond the subject site. As such, the ability to implement the mixed-use recommendation is solely dependent on how the subject property develops, and staff has concerns that aspects of the current design likely make a future residential-to-commercial conversion difficult.

The Urban Design Commission is required to make a recommendation to the Plan Commission on the design of the proposed residential building complex. On August 14, 2019, the UDC unanimously recommended **final approval** of the project subject to conditions. A draft of that report is attached. In response to questions at the UDC meeting regarding the possible conversion to ground floor commercial uses, the project architect stated that several design solutions could be explored, including building additions and site modifications to better activate the corner.

In comments provided to UDC and previously to the applicant, Planning Division staff requested consideration be given to modifications to better position the building for future conversion to commercial uses in an attempt to better align the project with the adopted plan recommendations. It is staff’s opinion that Building A should be located closer to Watts Road, both in terms of setback from Watts Road and vertical separation between the first floor and sidewalk, to create a stronger relationship between the building and public realm. Placing the building closer to Watts Road would ideally coincide with pedestrian-scale landscape amenities such as a plaza or outdoor seating area at sidewalk grade to create an environment more supportive of the future commercial uses on the first floor. While a somewhat lesser concern, staff also feels that the location of parking for the future commercial space north of Building A and across a residential courtyard and garage entrance also does not seem conducive to the future commercial conversion and eventual creation of the planned mixed-use corner. While there may be some parking allowed in the right of way of Watts Road, any spaces on the street could not be guaranteed to a particular use, which increases the importance of providing convenient on-site parking to serve those future commercial spaces.

A plan for building placement for Lots 16 and 17 was included with the TR-P master plan approved in 2017 and 2018. While conceptual in nature, the current plan for the two lots shows four buildings located around the perimeter of the two lots. Although the plan only applies to the TR-P-zoned Lot 17, it illustrates the relationship between the two lots and how the CC-T-zoned Lot 16 could be developed, recognizing that more detailed development plans would be required prior to construction. Staff feels that approved conceptual plan for the site better represents a development pattern to implement the mixed-use development recommended for Lot 16 than the proposed plan, which features one nearly 400-foot long building across both Lots 16 and 17, which is separated both horizontally and vertically from Watts Road.

Finally, staff is concerned that the proposed development may not provide adequate ingress and egress without circulating through the lower density portions of the Acacia Ridge subdivision. The City is currently reconstructing South Point Road between Harvest Moon Lane north of the site and Tawny Acorn Drive to the south to create a modern collector street cross-section with a center median, buffered bike lanes, and curb, gutter and sidewalk on the east side of the street. City Engineering and Traffic Engineering staff indicate that the design of improved South Point Road will not allow a median break to provide access to the proposed development from southbound South Point. As a result, traffic to and from the site from southbound South Point will need to circulate through the neighborhood via Harvest Moon, Watts and Feather Sound.

## Conclusion

Staff has carefully reviewed the proposed 189-unit multi-family residential building complex and related rezoning request and has concerns about the proposal's lack of consistency with the recommendations for neighborhood mixed-use development in the Pioneer Neighborhood Development Plan and Comprehensive Plan. The exclusively residential building initially proposed for the northeastern corner of South Point Road and Watts Road is inconsistent with the plan recommendations that such buildings not be located at prominent locations in mixed-use districts and rather that they be located closer to local streets. In addition to the non-residential component of Building A/B being absent, at least initially, the placement of the building 25 feet back from the Watts Road right of way and the vertical separation proposed between the first floor of the building and Watts sidewalk are not evocative of the mixed-use building forms recommended in the Pioneer Neighborhood Development Plan. The first floor height above the sidewalk and building setback, together with the location of on-site parking, do not feel conducive to the eventual transition of the 3,470 square feet of first floor space to commercial use in fulfillment of the neighborhood plan recommendations.

Staff cannot definitively conclude that the approval standards are met. The Planning Division's primary concern relates to Conditional Use Standard 9, which states that "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation." As described in this report, staff has concerns that the proposed development is not consistent with the adopted plan intent to create a neighborhood-mixed use node as recommended for the intersection of Watts and South Point Road. However, considering the unanimous approval recommendation from the Urban Design Commission, staff notes that it may be possible for the Plan Commission to find this standard met.

Finally, the proposed development may not provide adequate ingress and egress without circulating through the lower density portions of the Acacia Ridge subdivision to access the site. City Engineering and Traffic Engineering staff are both recommending that a median break not be allowed to provide access to the proposed development from southbound South Point Road, which will likely cause traffic to and from the site from southbound South Point to circulate through the neighborhood to access the site.

If the Plan Commission can find that the standards for zoning map amendments and conditional uses can be met, staff believes that the Commission may also find the demolition permit standards met to allow the existing

residence at 645 South Point Road to be razed, and for the two lots to be reconfigured by CSM to accommodate the proposed development.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

If the Plan Commission can find the standards for approval met, it should forward Zoning Map Amendment ID 28.022-00403, rezoning a portion of 9502 Watts Road from TR-P to CC-T and amending the Acacia Ridge TR-P master plan, and the two-lot Certified Survey Map to re-divide the subject site to the Common Council with recommendations of **approval**, and find the standards met to **approve** a demolition permit for 645 South Point Road and conditional use-residential building complex at 9502-9510 Watts Road, all subject to the Urban Design Commission approval of the residential building complex, input at the public hearing, and the conditions that follow.

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

#### Planning Division

1. The final floorplans of the Building A/B shall include a concept plan showing the interior configuration of the future commercial spaces. Final approval to construct the commercial spaces on the first floor after the initial issuance of building permits for residential units may require additional approvals as identified by the Zoning Administrator.
2. The final construction documents submitted for building permits shall demonstrate that the first floor units designated for "future commercial use" will be built initially to a standard commensurate with future conversion to commercial occupancy, including but not limited to vertical and horizontal fire separation, fire protection, floor loading, and accessibility.

#### Urban Design Commission

The following conditions were approved as part of the **final approval** of the project on August 14, 2019:

3. The wood undersides of the balconies shall be painted or stained to match the surrounding building.
4. The landscaping plan shall be revised to provide more substantial seed mixes between entry stoops on the south and north façades.

**The following conditions of approval have been submitted by reviewing agencies:**

#### City Engineering Division (Contact Tim Troester, 267-1995)

5. The median cut on South Point Road will not be allowed. The driveway from South Point will be right-in/right-out only.

6. The developer will be required to build public sanitary sewer along South Point Road to the north property limits.
  7. Per the approved stormwater management plan on file, existing Lots 16 and 17 were not routed to the regional basin as part of the initial plat approval. Each lot will be responsible for meeting the requirements of MGO Chapter 37 regarding stormwater management.
  8. The stormwater management plan is required to demonstrate how to safely pass a 100-year storm event in public right of way and easements and safely pass a 500-year storm event without damage to any buildings or structures.
  9. The minimum building opening elevation shall be 1075.0 or higher.
10. The construction of this project will require that 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 4-6 weeks, minimum.
  11. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer 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."
  12. The applicant shall provide proof of septic system abandonment from Public Health-Madison and Dane County as a condition of plan approval.
  13. The developer shall construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the CSM.
  14. All outstanding 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 (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
  15. 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.
  16. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL zone. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department of Natural Resources (WDNR) in order to comply with TMDL limits.
  17. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Preconstruction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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.

18. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. 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). All other levels (contours, elevations, etc.) are not to be included with this file submittal. E-mail CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
19. 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. The 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; and k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
20. 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., and; 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.
21. 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-inch 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. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Daniel Olivares (east) at [DAOlivares@cityofmadison.com](mailto:DAOlivares@cityofmadison.com) final document and fee should be submitted to City.

22. 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 building 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 PE 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 PE or licensed Plumber that show this requirement has been met.
23. 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.
24. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, the applicant shall contact either Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 261-9127 ([bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com)) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).
25. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Building Inspection Division may require individual control plans and measures for each building.
26. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
27. The lots within this site plan are interdependent 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 County Register of Deeds.
28. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2-, 10-, and 100-year storm events, matching post development rates to predevelopment rates; reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; provide infiltration in accordance with MGO Chapter 37; and complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
29. 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.

30. The contractor shall coordinate with the City project to construct South Point Road and adjacent sidewalk, and the developer agreement to construct Watts Road and Feather Sound Drive and adjacent sidewalks.
31. The following note shall be placed on the CSM: "No changes in drainage patterns associated with development on any or all lots within this CSM shall be allowed without prior approval of the City Engineer."
32. The following note shall be added to the CSM: "Lots 1 and 2 created by this Certified Survey Map are individually responsible for compliance with Chapter 37 of Madison General Ordinances in regard to stormwater management at the time they develop."

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

33. The pending CSM shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in the parcel database so that the permitting system can upload this data and permit issuance made available for this new land record.
34. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, water main for fire protection, common areas, surface drainage, storm sewer and storm management that are necessary to accomplish the site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the proposed CSM recording and prior to building permit issuance.
35. The proposed public sanitary sewer along the west side of this site shall not run longitudinally within a public utility easement to avoid conflicts. The applicant shall work with the utilities and City Engineering to provide separate easement areas. New/revised easements (utility and sanitary) shall be provided on the pending Certified Survey Map. Trees shall not be permitted within the required sanitary sewer easement. Any trees within a public utility easement shall be approved by the utilities using the easement.
36. Move the private storm sewer and sanitary manholes outside of the 12-foot wide public utility easement along the east side of this site.
37. The address of Building A is 9510 Watts Road; the address of Building B is 9502 Watts Road. The middle entry with office and fitness center has a base address of 9506 Watts Road. The address of Building C is 604 Feather Sound Drive. 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.
38. Submit a floorplan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan for each floor on a separate sheet for the development of a complete building and interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the submittal of the final Site Plan Approval application with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion

or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Addressing Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

39. The most recent tie sheet for the South Quarter Corner of Section 28 notes a rebar and not an aluminum monument. Surveyor shall confirm the type of monument and modify the note as required.
40. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com ). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report.
41. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

42. Prior to Engineering final sign-off by main office for plats, the final Plat must be submitted to Engineering Division Surveyor/Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the **final** CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com.

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

43. Additional approvals will be required to convert the areas identified as flex space within the CC-T zoned building into commercial tenant spaces.

44. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section

28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

45. Provide a calculation and plan detail for lot coverage for both the TR-P and CC-T zoned parcels with the final submittal. The lot coverage maximum for the TR-P zoned parcel is 75%, and the maximum for the CC-T zoned parcel is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
46. Provide a calculation for the amount of qualifying useable open space provided for both the TR-P and CC-T zoned parcels. Identify each qualifying at-grade usable open space area on the final plans. Roof decks, porches, and balconies may be used to meet up to 75% of the minimum open space requirement within the CC-T zoning district, provided that minimum dimensional requirements are satisfied.
47. Provide a parking summary including the numbers of bicycle, automobile and accessible parking stalls broken down per building.
48. Screening is required adjacent the Zoning district boundary along the north property line abutting the property at 3614 South Point Road. Screening shall be provided along the side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans.
49. Work with Zoning, Planning, and Urban Design Commission staff to create an appropriate buffer adjacent the west property line between the residential building complex and the property located to the north and west at 3614 South Point Road. 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.
50. Provide details showing that the proposed building on the CC-T zoned parcel meets the door and window opening requirements of Section 28.060(2)(d). For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 15% of the upper-story wall area.
51. 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.
52. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Traffic Engineering Division** (Contact Sean Malloy, 266-5987)

53. Due to design parameters of the South Point Road public works project, left-in access on South Point Road cannot be accommodated at this time. Left-in access may be permitted with future development of the property to the north.
54. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
55. 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.
56. 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.
57. All parking facility design shall conform to the standards in MGO Section 10.08(6).
58. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
59. All pedestrian walkways adjacent parking stalls shall be seven (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.
60. Per Section MGO Section 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
61. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
62. The applicant shall provide a clearly defined five- (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.

63. "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.
64. 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.
65. All parking stalls must be clear of any and all obstructions (including columns) to be considered a legal parking stall. For large car this means 9' X 18' clear, for one-size-fits-all this means 8.75' by 17' clear.
66. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements, which shall be noted on face of plan.
67. Items in the right of way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the right of way that states: The right of way is the sole jurisdiction of the City of Madison and is subject to change at any time per the recommendation/plan of the Traffic Engineering and City Engineering Depts."
68. All parking ramps as the approach the public right of way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the right of way. If applicant believes public safety can be maintained, they shall apply for a waiver. Approval or denial of the waiver shall be the determination of the City Traffic Engineer.

**Fire Department** (Contact Bill Sullivan, 261-9658)

69. The fire access shall comply with Madison General Ordinances Chapter 34. The design shall not assume that the City of Madison will give up its rights for parking in the public right of way to accommodate the required safety needs of the proposed project. Building A and B appears to be subpar in regards to the required aerial access. Provide more detail that demonstrates compliance and/or provide additional built in safety measures into the buildings that are above the building code minimum standards.

**Water Utility** (Contact Adam Wiederhoeft, 266-9121)

70. Prior to commencing with demolition of any structures on this property, the existing private well must be properly abandoned according to the requirements of the Wisconsin Administrative Code, Chapter NR 812, which includes proper filling and sealing of the well. All wells located in the City of Madison or on premises served by the Madison Water Utility shall be abandoned by the owner of the property if there is no valid well operation permit issued by the Madison Water Utility (MGO 13.21 (4)). The purpose of the ordinance is to prevent unused and improperly abandoned wells from contaminating Madison's drinking water aquifer.

As specified in the ordinance, your responsibilities include: contact a licensed well driller or pump installer and schedule the well abandonment; contact the Water Utility (266-4654) at least 48 hours prior to the

abandonment to provide the scheduled date and time of the abandonment; pay for the cost of the abandonment; and ensure that a completed copy of the Wisconsin DNR Abandonment Form is provided to the Madison Water Utility within ten (10) days of the completion of the well abandonment. This form will be completed by the well driller or pump installer who performs the abandonment.

The responsibilities of the Water Utility include witnessing the abandonment to ensure that the private well is properly filled and sealed.

Contact the Madison Water Utility once you confirm date of the abandonment and the licensed well driller or pump installer performing the work. If you have any questions, contact the Madison Water Utility Water Quality Department at 266-4654.

71. A Water Service Application Form and fees must be submitted (for each lateral) 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/plumberscontractors>), 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 266-4646. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not provide conditions of approval for this request.

**Parks Division** (Contact Sarah Lerner, 261-4281)

72. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID#17140.1 when contacting Parks Division staff about this project.

**City Forestry Section** (Brad Hofmann, 267-4908)

73. 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.

**Office of Real Estate Services** (Heidi Radlinger, 266-6558)

74. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, please include a Certificate of Consent for the option holder.

75. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
76. There are special assessments reported on the 9510 Watts Road parcel. All specials are due and payable prior to CSM sign-off pursuant to MGO Section 16.23(5)(g)1.
77. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish to Heidi Radlinger in City's Office of Real Estate Services ([hradlinger@cityofmadison.com](mailto:hradlinger@cityofmadison.com)), as well as the surveyor preparing the plat, an updated title report covering the period between the date of the initial title report (June 13, 2019) and the date when sign-off approval is requested. A title commitment may be provided, but will only be considered as supplementary information to the title report update. The surveyor shall update the plat with the most recent information available in the title report update.
78. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.
79. The following revisions shall be made to the final plat prior to final approval and recording: Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, wells, septic systems, etc. located within the CSM boundary.

## **Appendix A: Tradition Residential–Planned District Requirements**

The following excerpts summarize the requirements for residential development in the Traditional Residential-Planned (TR-P) District (Section 28.053) of the Zoning Code:

### (1) Statement of Purpose.

The TR-P District is established to encourage the development of new traditional neighborhoods in close-in or outlying parts of the City that incorporate the characteristics of existing traditional neighborhoods. Features include a variety of lot sizes and integrated housing types, detached or alley-loaded garages, traditional architectural features such as porches, an interconnected street system and the creation of a high-quality public realm.

A large-scale TR-P development will be designed through a master planning process. Where a TR-P District is developed in conjunction with or in proximity to an existing or planned mixed-use or higher-density district (for example, a Neighborhood Mixed-Use District, Traditional Shopping Street District, or Traditional Residential-Urban District) the TR-P District is also intended to meet the goals of traditional neighborhood development as established by the State of Wisconsin and Dane County. These goals include the following:

- a.) Reduce public costs by making more efficient use of infrastructure.
- b.) Protect the environment through reduced land consumption, preservation of on-site environmental features, and reduced automobile travel.
- c.) Increase public safety and welfare through street design that results in slower driver speeds and reduced accidents, injuries and fatalities.
- d.) Promote the reinvestment in existing developed areas.

- e.) Foster community through attractive streets and public spaces that create opportunities for encounters and gatherings.

(3) Required Mix of Residential Uses.

After the effective date of this ordinance, development sites or projects within the TR-P District that are 10 acres or more in size or that include 50 or more dwelling units shall meet the following standards:

- a.) A minimum of 3 residential building types from the following categories shall be included within the site:
  1. Single-family detached dwellings with street-accessed garages.
  2. Single-family detached dwellings with alley-accessed garages.
  3. Two-family and single-family attached buildings.
  4. Accessory dwelling units.
  5. Multi-family dwellings (3 units or more), including senior housing.
  6. Special-needs housing such as community living arrangements and assisted living facilities.
- b.) A minimum of ten percent (10%) of the units on the site shall be in two-family, attached or multi-family residential dwelling types.
- c.) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a one-quarter mile radius.
- d.) All residential lots shall be located within one-quarter mile of existing or planned public or common open space.

(4) Dimensional Standards, Permitted and Conditional Uses. [See table on page 3 as it applies to this project.]

(5) Site Design Standards.

- a.) Open Space. Open space shall be available to the residents of the district for recreational purposes or similar benefit. Land reserved for stormwater management and other required site improvements shall not be applied to this requirement, unless designed as open space that will meet resident needs.
  1. Open space shall be designed to meet the needs of residents of the district and the surrounding neighborhoods to the extent practicable for parks, playgrounds, playing fields, and other recreational facilities.
  2. A diversity of open spaces shall be provided within the TR-P district, including but not limited to community parks, neighborhood squares and commons, and playgrounds.
  3. Open spaces included with the subdivision shall be dispersed throughout the development and walkable from most areas within the subdivision.
  4. Land donated for any public purpose, which is accepted by the City, may be credited towards the open space requirement at the discretion of the Common Council.
- b.) Street Layout. A TR-P site development plan shall maintain the existing street grid where present and restore the street grid where it has been disrupted. In newly developing areas, streets shall be designed to maximize connectivity, except where environmental or physical constraints make this infeasible. All streets shall terminate at other streets, at public land, or at an environmentally sensitive area, except that local streets may terminate in stub streets when those will be connected to other streets in future phases of the development or adjacent developments.
- c.) Street Design. Flexibility in street design may be allowed within a TR-P District in order to create a safe and pleasant environment for residents, emphasizing pedestrian and bicycle circulation.

- d.) Non-Residential Uses. Non-residential land uses, including but not limited to schools, places of worship and neighborhood-serving commercial uses located within a subdivision zoned TR-P, shall be designed in a compact fashion and reflect the design of other uses within the master-planned development. Parking for such uses shall be located in the side or rear yards and shall be well screened to preserve the continuity of the public realm.

(6) Submittal Requirements.

- a.) After the effective date of this ordinance, a Master Plan shall be required for all TR-P projects that are proposed to be 10 acres or larger in size or those that will include 50 dwelling units or more. All TR-P Master Plans shall include each of the following elements:

1. A map of the proposed development that identifies all of the lots and outlots to be contained in the proposed development and which contains all of the information required for preliminary plats in Sec. 16.23(7)(a), MGO. The map shall identify each of the following items:
  - a. The use of each lot or outlot, including any spaces to be dedicated to the public.
  - b. The number of dwelling units to be provided on each lot.
  - c. The number of floors of all buildings to be constructed on a lot – minimum and maximum.
  - d. The orientation of buildings in relation to all streets.
  - e. The yards and building setbacks for each developable lot.
  - f. Stormwater management, including proposed treatments at the lot, block and subdivision level.
2. A phasing plan for the implementation of the master planned development.
3. Building design standards for the proposed development recorded in the covenants, conditions and restrictions for the subdivision, shall include:
  - a. Massing and composition of structures, orientation of windows and entries; doors and other elements of the facade, and primary facade materials and colors.
  - b. A process for the application of such building design standards, through an architectural review committee or similar review body.
4. A detailed letter of intent for the project that outlines the specific goals and objectives for the master planned development. Sec. 28.053(6)(b)

- b.) Standards for Approval of Master Plans.

1. The proposed TR-P Master Plan shall be consistent with the recommendations of the Comprehensive Plan and any adopted neighborhood plan, including the objectives established for traditional neighborhood development in the Comprehensive Plan.
2. The proposed TR-P Master Plan shall contain a highly connective circulation pattern and shall be conducive to multiple forms of transportation.
3. The proposed master planned development shall include a variety of integrated residential dwelling unit types. Segregation of dwelling unit types shall be avoided.
4. The proposed TR-P Master Plan shall be consistent with the statement of purpose of this section.
5. The TR-P Master Plan shall also comply with all of the requirements for preliminary plats in Section 16.23(5)(c) Madison General Ordinances.

- (7) Review Procedures. A Master Plan for a TR-P district will be reviewed as part of the zoning map amendment and subdivision plat.