



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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September 18, 2019

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

RE: Consideration of a conditional use for a multi-family dwelling with more than eight units in SR-V2 (Suburban Residential–Varied 2 District) zoning; and consideration of a conditional use–residential building complex in SR-V2 zoning, to construct 108 apartments in three buildings and 10 townhouse units in two buildings at 9702 Watts Road (Lot 2 of 1000 Oaks) (LNDUSE-2019-00087; ID 56817)

Dear Mr. Held;

On September 16, 2019, the Plan Commission found the standards met and **approved** your conditional use requests for a residential building complex at 9702 Watts Road. Prior to issuance of building permits for the project, the conditions of approval in the following sections shall be satisfied:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following fourteen (14) items:**

1. Additional detail shall be provided on the grading where this site meets the existing property on the north side of the lot. Existing drainage patterns must be allowed to continue and be accommodated safely.
2. 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.
3. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary and Stormwater Management Impact Fee District (sanitary interceptor, lift station, and stormwater). 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."

4. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
5. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto: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.
6. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto: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).
7. 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.
8. 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.

9. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
10. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
11. 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.
12. 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.
13. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: 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; provide substantial thermal control; 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.
14. 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.

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

15. The shade trees proposed within the public utility easement along the southern side of this site shall be removed from the easement area.
16. Submit a floorplan for each separate building in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto: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.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following ten (10) items:**

17. 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.
18. 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.
19. 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.
20. All parking facility design shall conform to the standards in MGO Section 10.08(6).
21. All sidewalks next to buildings shall be six (6) feet in width.
22. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
23. 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.
24. The applicant shall provide a clearly defined five-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
25. Per 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.
26. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:**

27. 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.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following four (4) items:**

**Note:** The Plan Commission's approval of the residential building complex included the setback reduction stipulated by the Zoning Administrator and included as comment 24 of the September 16, 2019 staff report.

28. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
29. Provide details of the resident amenity spaces including the patios, pergolas, sand volleyball court, and dog walk areas.
30. 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.
31. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes and Section 33.24 Urban Design Commission of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following item:**

32. 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-Infrastructure Impact Fee district. Please reference ID# 08115.3 when contacting Parks Division staff about this project.

**Please contact Brad Hoffman of the Parks Division–Forestry Section at 267-4980 if you have any questions regarding the following item:**

33. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

**Please contact Janine Glaeser, Urban Design Commission Secretary, at 267-8740 if you have any questions regarding the following six (6) items of the Urban Design Commission *initial* approval of the residential building complex. The project shall obtain final approval from the UDC prior to final staff approval of the plans and issuance of permits.**

34. On Buildings 2 and 4, shorten inset depth between townhouse garages – there can still be a notch, but not as deep.
35. Add a pedestrian door to back of each townhouse.
36. Add a direct crosswalk connection path between the townhouse groups and the back outdoor green area.
37. Study larger building height proportions; the third floor looks shorter due to the raised parapet for outdoor decks.
38. Revisit the layout for the outdoor walking trail; consider making more strategic bends in path that might make the shared outdoor spaces in between a little larger.
39. Study how the heavy timber detail fits at gable ends and relates to other building details.

**Please contact my office at 261-9632 if you have questions about the following item:**

40. That the Dwelling Unit Restriction recorded against Lot 2 of 1000 Oaks shall be released by the Director of the Planning Division and recorded by the applicant once the applicant has obtained final plan approval of the residential building complex and is ready to obtain building permits for the first building(s).

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

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

1. After the plans have been revised per the above conditions, please file **eight (8) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning

Administrator, Room 017, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void two (2) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 12 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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

Sincerely,

Timothy M. Parks  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division  
Sean Malloy, Traffic Engineering Division  
Jenny Kirchgatter, Asst. Zoning Administrator  
Adam Wiederhoeft, Madison Water Utility  
Sarah Lerner, Parks Division  
Janine Glaeser, Urban Design Commission  
Bill Sullivan, Madison Fire Department

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner  
(If Not Applicant)*

| LNDUSE-2019-00087                             |                          |                                     |                          |
|-----------------------------------------------|--------------------------|-------------------------------------|--------------------------|
| For Official Use Only, Re: Final Plan Routing |                          |                                     |                          |
| <input checked="" type="checkbox"/>           | Planning Div. (T. Parks) | <input checked="" type="checkbox"/> | Engineering Mapping Sec. |
| <input checked="" type="checkbox"/>           | Zoning Administrator     | <input checked="" type="checkbox"/> | Parks Division           |
| <input checked="" type="checkbox"/>           | City Engineering         | <input checked="" type="checkbox"/> | Urban Design Commission  |
| <input checked="" type="checkbox"/>           | Traffic Engineering (EP) | <input type="checkbox"/>            | Recycling Coord. (R&R)   |
| <input checked="" type="checkbox"/>           | Fire Department          | <input type="checkbox"/>            | Other:                   |
| <input checked="" type="checkbox"/>           | Water Utility (EP)       | <input type="checkbox"/>            | Other:                   |