

**PLANNING UNIT REPORT**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**of October 18, 2006**

**RE: ID# 04532: Zoning Map Amendment I.D. 3223, rezoning 9401 Midtown Road from Temp. A to PUD-GDP; ID# 04679: approving a demolition, and ID# 04679, approval of the final plat of "Hawks Ridge."**

1. Requested Actions: Approval of a request to rezone 9.33 acres located at 9401 Midtown Road from Temporary A (Agriculture District) to Planned Unit Development, General Development Plan (PUD-GDP); approval of a demolition permit to allow demolition of a farmhouse, and; approval of a final plat creating five lots and one outlot for public stormwater detention to serve the proposed development.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits; the subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property owner: Willie Keuler, Keuler Construction, Inc.; 8308 Route 19; Cross Plains.  
  
Agent: Dave Andruczyk, Arnold & O'Sheridan, Inc.; 111 Deming Way, Suite 200; Madison.
2. Development Schedule: The applicant wishes to begin construction as soon as all regulatory approvals have been granted, with completion scheduled for October 2010.
3. Parcel Location: Approximately 9.33 acres located on the south side of Midtown Road approximately half way between Woods Road and Hawks Ridge Drive, in Aldermanic District 1; Verona Area School District.
4. Existing Conditions: Single-family farmhouse and associated accessory buildings in the City of Madison in Temp. A zoning, which will be demolished to make way for the proposed development.
5. Proposed Land Use: 84 condominium units located in five single-family, five two-family, and four multi-family buildings with common pool and clubhouse, zoned PUD-GDP.
6. Surrounding Land Use and Zoning:  
North: Single-family residences and multi-unit condominiums in the Hawks Landing Golf Club subdivision, zoned R1 (Single-Family Residence District) and PUD-SIP;

South: Single-family residence on a large tract, zoned Temp. A (Agriculture); University Ridge Golf Course, zoned A;

West: Hawks Meadow single-family subdivision, zoned R1 and R2T (Single-Family Residence Districts);

East: Hawks Ridge Estates subdivision, zoned R1 and R5 (General Residence District).

7. Adopted Land Use Plan: The Midtown Road Neighborhood Development Plan recommends the northeastern corner of the site for “medium-density residential uses,” with the remainder of the site recommended for “low-density residential uses.”
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property will be served by a full range of urban services.

#### **STANDARDS FOR REVIEW**

This application is subject to the standards for demolitions, zoning map amendments, planned unit developments, and final plats.

#### **PLAN REVIEW**

The applicant is requesting approval of a zoning map amendment to rezone a 9.33-acre parcel from Temp. A (Agriculture) to PUD-GDP for a project containing a total of 84 condominium units comprised of 10 single-family buildings, five duplexes, and four 16-unit multi-family buildings. The development will be served by a central pool and clubhouse located near the center of the site. A final plat creating five lots for the proposed condominium development as well as one outlot for stormwater management has also been submitted for approval. The existing single-family residence and accessory farm buildings located on the eastern third of the property will be demolished to accommodate the proposed development.

#### **Background**

The subject site is located on the south side of Midtown Road approximately midway between Woods Road and Hawks Ridge Drive. The site is part of a 60.5-acre grouping of four properties that were annexed to the City of Madison from the Town of Verona in July 2004. The annexation area was generally bounded by Midtown Road on the north, Woods Road on the west and the University Ridge Golf Course on the south and east.

The subject site is bordered on the east and west by two recently approved subdivisions. The Hawks Meadow single-family subdivision is located west of the subject site adjacent to Woods Road, while the Hawks Ridge Estates subdivision adjoins the site to east, containing 33 single-family and two multi-family lots. Single-family components of the Hawks Landing Golf Club

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subdivision are located north of the site across Midtown Road, with the clubhouse and multi-family components of that development located further to the east along Hawks Landing Circle. A single-family residence on a large, heavily wooded lot immediately to the south separates the subject site from University Ridge Golf Course further to the south. The subject site generally falls from the southern and eastern property lines towards the northwest and a future detention facility that will be provided for the proposed development. No significant vegetation is present on the property.

At the time the 60.5-acres were annexed into Madison, an amendment to the Midtown Neighborhood Development Plan was prepared to provide guidance for the development of all lands located south of Midtown Road and east of Woods Road that were not part of the golf course. The plan map is attached and highlights the boundaries of the subject site. The majority of the lands included in the plan amendment area were recommended for “low-density residential” land uses up to eight units per acre. The amendment specified that there was to be a range of lot sizes within the low-density area, including some lots in the low to medium range. “Medium-density residential” land uses averaging 15 units per acre and above were recommended for 11 acres of land located on both sides of the southerly extension of Hawks Landing Circle across Midtown Road opposite similarly dense development in Hawks Landing, with most of this particular use located on this site.

#### Zoning Map Amendment and Plat Review

Access to the proposed Hawks Ridge development will be provided by the extension of two east-west streets, Dregers Way and Silverstone Lane, platted in the Hawks Meadow and Hawks Ridge Estates subdivisions abutting the site. A southerly extension of Dregers Way is also proposed to provide access to future low-density residential development on the remaining parcel from the 2004 annexation area. The road network proposed by the three projects largely implements the road pattern detailed in the Midtown NDP.

Among the 84 condominium units proposed in the Hawks Ridge development, 64 will be located in four three-story multi-family buildings to be located in the northeastern corner of the parcel. Two of the buildings will face north along Midtown Road, with the other two partially facing Dregers Way or Silverstone Lane. Each of the buildings will contain 16 units for a total of 64 multi-family units, with a mix of one, two and three-bedroom units proposed (153 bedrooms total). Though floorplans, sections and building elevations of the four buildings are not included with the general development plan, the developer indicates that each building will be provided with underground parking primarily accessed through an internal private drive with entrances from both Dregers Way and Silverstone Lane. Approximately 22 surface parking stalls will also be provided. A falling water feature and greenspace will be provided between the eastern two buildings to serve as an open space amenity for the multi-family component.

The remaining 20 units of the project will be a combination of ten single-family residences and five two-family buildings. The single-family residences will be a combination of one and two-story structures, and are generally located on the western portion of the site adjacent to the single-family residences in the Hawks Meadow subdivision. Three of the five two-family buildings will be located along the south side of Silverstone Lane and directly south of the multi-family

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component. Though specific details of the two-family units will not be provided until the specific implementation plan for the project is submitted, the buildings appear to contain a significant amount of floor area and will have two or three bedrooms and attached two-car garages. The other two two-family buildings will be located south and west of the proposed community pool and clubhouse to be located at the northwest corner of Silverstone and Dregers. Details of the pool and clubhouse, which will be a common element of the entire 84-unit condominium project, are provided in the letter of intent, including the provision of a two-bedroom short-term guest apartment located on the lower level of the two-level structure. The guest unit is not included in the unit count for the overall project.

As noted above, stormwater management for the project will be provided in the northwestern corner of the subject site adjacent to Midtown Road. At the time the Midtown NDP was amended to include the lands annexed to Madison in 2004, two stormwater management areas were envisioned to serve the 60.5-acre area. However, a disagreement between the four property ownerships that comprised the majority of the annexation area caused the four parcels to be developed individually instead of jointly, so a third stormwater management area not shown on the neighborhood development plan is required to serve the Hawks Ridge project.

#### Inclusionary Zoning

The applicant has submitted an Inclusionary Dwelling Unit Plan (IDUP) generally indicating his intent to comply with the inclusionary zoning provisions of the Zoning Ordinance. The IDUP indicates that one of the ten single-family units, two of the ten two-family units and ten of the 64 multi-family units will meet the affordability criteria. Nine of the 13 affordable units will be provided to families earning 80 percent of the area median income (AMI), with the remainder to first be marketed to families earning 70% AMI. The 13 units proposed equals 15.5% of the units in the project in conformance with the ordinance requirements.

The affordable single-family unit will be located in the southwestern corner of the project, while the two affordable two-family units will be located in one building in the southeastern corner of the site. Of the ten affordable multi-family units proposed, two will be provided in each of the two buildings facing Midtown Road, while three each will be provided in the two southern buildings. The affordable multi-family units will include a mix of one, two and three bedrooms dispersed on the first and second floors of the four buildings.

A report from the Community Development Block Grant Office regarding this project's compliance with the Inclusionary Zoning program is attached. A gap analysis included with the applicant's request may ultimately seek to reduce the number of affordable units. The developer has identified a density bonus and park development fee reduction as possible revenue offsets for the project.

Regarding the density bonus, the project proposes 84 units on 6.65 acres of property, not including the detention area, pool/ clubhouse tract and rights of way, for a net density of 12.6 units per acre. When broken into individual components, the one and two-family housing will have a net density of 5.62 units per acre, which falls below the six unit per acre threshold in the Zoning Ordinance for areas identified for low-density residential development as recommended,

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in this case, in the Midtown Neighborhood Development Plan. For areas recommended for medium-density development such as the northeastern corner of the subject site, the ordinance requires that the midpoint of the density range of the neighborhood plan be used. However, the Midtown NDP does not specify such a range. As a result, the Planning Unit has recommended in the past that the 18-25 unit per acre range identified as medium-density in other such neighborhood plans be used, the midpoint of which is 21 units per acre. The 64 units proposed on the 3.08-acre multi-family lot result in a density of 20.8 units per acre, just below the threshold. This suggests that this project is not in fact receiving a density bonus.

However, the Hawks Ridge proposal deviates slightly from the adopted neighborhood plan in regards to the area devoted on the plan for medium-density residential uses for the subject lot. As noted before, most of the 60.5-acre annexation area was originally envisioned as a cooperative development effort. As a result, the western edge of the medium-density land uses proposed west of Hawks Ridge Drive were originally planned to sit behind low-density, development on what is now Dregers Way. The developer is now proposing to extend the medium-density zone west to Dregers Way, with the remainder of the north side of Dregers Way dedicated to stormwater management on the subject site.

While the Planning Unit is generally in favor of this relatively minor expansion of the medium-density land use recommendation, it acknowledges that an indirect density bonus to this project will result should it be approved.

### **ANALYSIS AND EVALUATION**

The density and street pattern proposed in the proposed Hawks Ridge planned unit development and final plat conforms to the development pattern and density recommended in the Midtown Neighborhood Development Plan. However, as noted above, the proposed development deviates slightly from the land use pattern recommended for the subject site in the adopted plan. The project requires extension of the area recommended for medium-density residential uses further west than previously indicated on the plan and adds a stormwater management tract along the Midtown Road frontage to serve this project that was not previously anticipated by the plan. The Planning Unit feels that despite these minor departures from the approved neighborhood plan, the project largely represents the development anticipated when this site and the neighboring properties were annexed to the City in 2004. The addition of the stormwater management tract and the modest increase in land for medium-density development can in part be attributed to the development of the 60.5-acre annexation area as individual parcels instead of collaboratively, as was originally envisioned at the time the neighborhood plan was prepared.

When the Plan Commission reviewed the annexation and neighborhood plan addition for the 60.5-plus acres including the subject site in 2004, the Commission specified that the portions of the areas recommended for low-density uses provide a variety of lot sizes, including some lots in the low to medium density range (8-15 units per acre). While a variety of lot sizes have generally been provided in the Hawks Meadow and Hawks Ridge Estates projects adjacent to the subject site, none of the single-family development in those subdivisions has approached the 8-15 unit per acre densities requested. In the Hawks Ridge project, the developer proposes to include two-family units as part of the unit mix for the development. However, given the size and orientation

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of those units, the density of the one and two-family housing in Hawks Ridge does not achieve the 8-15 units per acre range either, though it introduces a unit type not currently present in the three projects south side Midtown Road.

Due to the unique condominium arrangement proposed to serve the Hawks Ridge development, PUD zoning appears to be the most logical zoning classification to implement the project. The Planning Unit feels that the project concept can meet the standards for a planned unit development, though, as is typical with a general development plan-level review, many details of the buildings and open spaces will need to be addressed during the review of a future specific implementation plan.

At the time that the specific implementation plan for this project is considered, the Planning Unit will likely consider how the multi-family components in this project will be visually and architecturally integrated with the approved multi-family components in the adjacent Hawks Ridge Estates project so as to assure the appearance of a somewhat cohesive development pattern along Midtown Road and Silverstone Lane.

Regarding the demolition of the existing residence on the subject site, the Planning Unit has not inspected the inside of the residence to be demolished but believes the house to be in below average condition based on photos provided by the applicant. Staff does not feel that the house represents the land uses recommended for the site by the neighborhood development plan and feels that it would likely be a poor fit with the new development occurring in the surrounding area. A reuse and recycling plan approved by the City's Recycling Coordinator will be required before a wrecking permit can be issued.

## **CONCLUSION**

The proposed planned unit development containing 84 one, two and multi-family condominium units with common open space amenities, and the associated final plat, largely abide by the recommendations for the subject site contained in the Midtown Neighborhood Development Plan. Staff considers the two minor deviations, the addition of a stormwater management tract and slightly enlarged medium-density residential area, to be acceptable given that the neighborhood plan was not collaboratively implemented as originally planned. The proposed project concept should result in an attractive development that fits well into the emerging context along the south side of Midtown Road.

## **RECOMMENDATION**

The Planning Unit recommends that the Plan Commission forward Zoning Map Amendment I.D. 3223, rezoning 9401 Midtown Road from Temp. A (Agriculture) to Planned Unit Development, General Development Plan (PUD-GDP) and the final plat of Hawks Ridge to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.

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2. That a reuse and recycling plan be submitted to the City's Recycling Coordinator for approval prior to the issuance of a wrecking permit for the existing residence.
3. That the final plat be revised to include a 30-foot building line and landscape buffer strip parallel to Midtown Road for Lot 1, and that detailed landscaping for this strip be provided as part of the submittal of the specific implementation plan for this project.
4. That the zoning text for this project be revised per Planning Unit approval as follows:
  - a.) the statement of purpose should be rewritten to end after the first paragraph and should generally provide a very basic sense of the nature of this project (much of the other information belongs in the letter of intent);
  - b.) the building description, usable open space requirements and lot area per dwelling unit sections be removed;
  - c.) the zoning text may include a "Design Standards" section for the single-family homes that incorporates the design standards verbatim from the R2T single-family zoning classification to establish minimum design parameters as an alternative to submitting detailed plans for the ten single-family homes as part of the SIP;
  - d.) the permitted uses shall be listed as follows:
    - one, two and multi-family residential units as shown on the attached plans;
    - a pool and community clubhouse with accessory short-term guest apartment as shown on the attached plans;
    - any uses accessory to those listed above;
  - e.) the bicycle parking, off-street parking, and open space provided sections shall be noted "as shown on the attached plans" if not recorded by the time the SIP is submitted, or "as to be determined with the specific implementation plans for the project."
  - f.) the family definition shall be R4 for the entire project; the language regarding rental provisions shall be removed and included in the developer's covenants and restrictions, while any language about marketing of units shall be placed in the separate Inclusionary Dwelling Unit Plan. Zoning staff will not enforce the status of these units as owner-occupied or renter-occupied except as it pertains to Inclusionary Zoning.
  - g.) Note: staff reserves the ability to further refine the zoning text at the time the SIP is reviewed.



Department of Public Works  
**City Engineering Division**

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

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

**Deputy City Engineer**

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Michael R. Dalley, P.E.  
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Gregory T. Fries, P.E.

**Operations Supervisor**

Kathleen M. Cryan

**Hydrogeologist**

Joseph L. DeMorett, P.G.

**GIS Manager**

David A. Davis, R.L.S.

DATE: September 19, 2006

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 9401 Mid Town Road Plat

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

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

1. Comment 3.17. Dregers Way will extend to the east line of Outlot 1 and Lot 3. We will need a new street name for the segment that continues southeasterly/southerly so that we do not create duplicate intersections of Dregers Way at Silverstone Lane.
2. Change the name of Midtown Road to Mid Town Road so that it is consistent with the existing recognized City of Madison street name.
3. Include "public" and/or "private" where applicable for all easements created by this subdivision plat for clarification.
4. The west line of this proposed subdivision plat has been defined and monumented by the recorded plat of Hawks Meadow. Revise this proposed plat to identify existing monuments.
5. Correct the bearing reference datum shown from NAD23(97) to NAD83(97).
6. City of Madison PLSS records indicate that there is a 3/4" rebar representing the North 1/4 corner of Section 04-06-08, not a survey nail as you indicate on your plat. Confirm monument type found.
7. Clarify on your plat which PLSS monuments correspond to the dimensions shown.
8. The Developer shall be required to provide surety or a deposit for the developer's share of the cost to reconstruct Midtown Road.
9. This plat is in the proposed Lower Badger Mill Impact Fee District. Fees for this district shall be paid prior to plat sign off. (Sanitary and Storm).
10. Temporary sanitary sewer service is available in the Hawks Landing Lift Station. Connection charges for the temporary use of this Lift Station are approximately \$10/1000 SF net area.

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**GENERAL OR STANDARD REVIEW COMMENTS**

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

**Engineering Division Review of Plats (Pre-Preliminary, Preliminary, Final)  
and Certified Survey Maps**

Name: 9401 Midtown Road Plat

**General**

- 1.1 The Developer shall enter into a City / Developer agreement for the installation of public improvements required to serve this plat/csm. The developer shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The developer shall meet with the City Engineer to schedule preparation of the plans and the agreement. The City Engineer will not sign off on this plat/csm without the agreement executed by the developer.
- 1.2 Two weeks prior to recording the final plat, a soil boring report prepared by a Professional Engineer, shall be submitted to the City Engineering Division indicating a ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9' below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.

**Right of Way / Easements**

- 2.1 The Applicant shall Dedicate a 47-foot wide strip of Right of Way along Midtown Road (measurement from center). Total of 94 feet of right-of-way.
- 2.2 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.3 It is anticipated that the improvements on [roadway name] \_\_\_\_\_ required to facilitate ingress and egress to the plat/csm will require additional right of way and/or grading easements located outside the plat/csm boundary. The developer shall acquire the right of way and/or sloping easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or sloping easements required, the City shall assist the developer in acquiring the property and the developer shall pay the City for all costs associated with the acquisition.
- 2.4 The Developer shall petition for the street vacation of (roadway name) \_\_\_\_\_ and provide a legal description and sketch of the right of way to be vacated after consultation with the City Engineer.

**Are the following requirements met?**

- \* Streets Intersect at right angles.
- \* A 15 foot minimum tangent at intersections from PC of curve to property line.
- \* Arterial intersection spacing generally greater than 1200 feet.
- \* Jogs are avoided at intersections. Arterial streets shall be adjusted to align if spacing less than 300 feet.
- \* Spacing of intersections on local streets shall be greater than 300 feet.
- \* Cul-de-sacs shall be less than 1000 feet long.
- \* 100 foot tangents between curves.

- 2.5 \_\_\_\_\_  
\_\_\_\_\_
- 2.6 Property lines at intersections shall be rounded with a 15 foot radius on \_\_\_\_\_  
\_\_\_\_\_
- 2.7 Property lines at intersections shall be rounded with a 25 foot radius on \_\_\_\_\_  
\_\_\_\_\_
- 2.8 The right of way width on \_\_\_\_\_ shall be \_\_\_\_\_ feet, on  
\_\_\_\_\_ shall be \_\_\_\_\_ feet and on \_\_\_\_\_ shall be  
\_\_\_\_\_ feet.
- 2.9 \_\_\_\_\_ shall have a minimum centerline radius of \_\_\_\_\_ feet and \_\_\_\_\_  
shall have a minimum centerline radius of \_\_\_\_\_ feet and \_\_\_\_\_ shall have a minimum centerline radius of  
\_\_\_\_\_ feet.
- 2.10 The cul-de-sac on \_\_\_\_\_ shall have a minimum radius of \_\_\_\_\_ feet with a

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minimum reverse curve radius of \_\_\_\_\_ feet.

- 2.11 The plat/csm shall show a temporary limited easement for a temporary cul-de-sac on \_\_\_\_\_ having a radius of \_\_\_\_\_ feet and a reverse curve radius of \_\_\_\_\_ feet. The easement(s) shall expire when the streets are extended.
- 2.12 The developer shall show on the plat/csm a 40 foot utility easement adjacent to [roadway name] \_\_\_\_\_. The easement wording shall be approved by the City Engineer. The intent of the easement is to allow for the relocation of a major transmission line. The actual poles would remain on the right of way however major transmission lines require an easement beyond the space occupied by the poles for safety.
- 2.13 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.14 The Developer shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.15 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_. The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

#### Streets and Sidewalks

- 3.1 The Developer shall construct Madison Standard street improvements for all streets within the plat/csm.
- 3.2 The developer shall show a 30 40 (*Strike one, 30 collector, 40 Arterial*) foot building setback line on the plat/csm adjacent to [Roadway Name] \_\_\_\_\_ for all lots in the plat/csm adjacent to said roadway.
- Note: No buffer strip shall be dedicated to the City as the City does not want the maintenance.*
- 3.3 Extensive grading may be required due to steep roadway grades.
- 3.4 The developer shall note that City funds for park frontage are limited and will be determined at the sole discretion of the City.
- 3.5 The developer shall construct sidewalk and record a waiver of their right to notice and hearings for the assessments for the improvement of Midtown Road in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO. Said sidewalk constructed in front of and waiver recorded to Lot 1.
- 3.6 The Developer shall make the following improvement to [Roadway Name] \_\_\_\_\_. The Developer shall construct sidewalk and \_\_\_\_\_ feet of a future \_\_\_\_\_ foot roadway including curb and gutter on the \_\_\_\_\_ side of the roadway.
- 3.7 The Developer shall construct sidewalk to a plan approved by the City Engineer and complete ditching as required by the City Engineer along [Roadway Name] \_\_\_\_\_.
- 3.8 The Developer shall grade the right of way line to a grade established by the City Engineer and complete ditching along the roadway as specified by the city engineer along [Roadway Name] \_\_\_\_\_.
- 3.9 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_. (*Also require the City / Developer agreement line 1.1*)
- 3.10 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.11 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and section 4.09 of the MGO.
- 3.12 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.13 Developer shall make improvements to [Roadway Name] \_\_\_\_\_ considered temporary to facilitate ingress and egress to the plat/csm until such time as the ultimate improvement of the roadway is undertaken by the city.
- 3.14 The Developer shall make improvements to [Roadway Name] \_\_\_\_\_ to facilitate ingress and

egress to the plat/csm.

[Select one of the below comments for either of the above or leave general]

- The above improvement will consist of acceleration and deceleration tapers.
- The above improvement consists of rights turn lanes.
- The above improvement will consist of passing lanes.
- The above improvement will consist of median openings.
  
- Caution – The improvements indicated above may require right of way outside of the plat/csm. See comment 2.3 to require additional right of way for this purpose.*
  
- 3.15 The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat/csm.
- 3.16 The developer shall confirm that adequate sight distance exists on \_\_\_\_\_ where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
- 3.17 All proposed street names shall be approved by the City Engineer. Applicant shall contact Lori Zenchenko (608-266-5952) with street name requests.
- 3.18 Installation of "Private" street signage in accordance with 10.34 MGO is required.

#### Storm Water Management

- 4.1 An erosion control plan and land disturbing activity permit shall be submitted to the 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 the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.2 The following notes shall be included on the final plat:
  - a. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.  
  
**NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.**
  - b. The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 4.3 Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map.
  - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property carriers at ground level and shall be maintained by the lot owner.
  - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site.

or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

**NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.**

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail" when the easement or restriction can be effectively described and retraced from the typical detail.

- 4.4 Prior to the issuance of building permits, the Developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage.

The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27.

The following note shall accompany the master storm water drainage plan:

- a. For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.

No building permits shall be issued prior to City Engineering's approval of this plan.

- 4.5 If the lots within this certified survey map are inter-dependent upon one another for storm water 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 certified survey map and recorded at the Dane Co Register of Deeds.
- 4.6 The following note shall be added to the certified survey map. "All lots created by this certified survey map are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water detention at the time they develop."
- 4.7 This plat/csm could affect a flood plain, wetland or other sensitive areas. As such, it shall be reviewed by the Commission on the Environment. Contact Mike Dailey at 266-4058 for further details. The proposed plat/csm may be considered a major change to the environmental corridor and be subject to a public hearing and approval of the Dane County Regional Plan Commission.
- 4.8 A portion of this plat/csm may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland or flood plain issues or navigable waterway. A permit for those matters may be required prior to construction on any of the lots currently within the plat/csm. Contact the WDNR & USACOE for a jurisdictional determination.
- 4.9 Prior to recording the plat/csm, the applicant shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
- Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

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

- 4.10 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
- 4.11 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.12 A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Gebert (608-261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division 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).

#### Sanitary Sewer

- 5.1 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 5.2 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 5.3 This land division contains or is adjacent to facilities of MMSD. Prior to approval, applicant shall provide evidence that MMSD has reviewed and approved the proposed land division.

#### Mapping / Land Records

- 6.1 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 condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. 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. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. **Note: Land tie to two PLS corners required.**
- 6.2 In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference **City of Madison WCCS Dane Zone, 1997 Coordinates** on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. City of Madison has established WCCS, Dane Zone Coordinates on all PLS corners within its corporate boundary. Visit the City of Madison Engineering Division web address [http://gis.ci.madison.wi.us/Madison\\_PLSS/PLSS\\_TieSheets.html](http://gis.ci.madison.wi.us/Madison_PLSS/PLSS_TieSheets.html) for current tie sheets and control data. If a surveyor encounters an area without a published WCCS Dane Zone 1997 value, contact Engineering Division for this information.
- 6.3. The Applicant shall submit to Eric Pederson, prior to Engineering sign-off of the subject plat, two (2) digital and one (1) hard copy of the **final plat/CSM** to the Mapping/GIS Section of the Engineering Division. **The digital copies shall be submitted in both NAD27 & WIDOT County Coordinate System, Dane County Zone datums in either Auto CAD Version 2001 or older, MicroStation Version J or older or Universal DXF Formats and contain the minimum of the following, each on a separate layer name/level number:**
  - a. Right-of-Way lines (public and private)
  - b. Lot lines
  - c. Lot numbers
  - d. Lot/Plat dimensions
  - e. Street names
  - f. 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).

NOTE: This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

NOTE: New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

- 6.4 In accordance with Section s.236.34(1) (c) which says a CSM shall be prepared in accordance with s.236.20(2) (c) & (f), Wisconsin Statutes, the Applicant must show type, location and width of any and all easements. Clearly identify the difference between existing easements (site Register of Deeds recording data) and easements which are being conveyed by the Plat/CSM. Identify the owner and/or benefiting interest of all easements.

5.7



Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

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

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

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

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

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

DATE: September 20, 2006  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 9401 Mid Town Road Rezoning/Inclusionary Zoning.

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

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

1. Comment 1.5. An addressing plan shall be submitted for building and individual unit addresses. Plan shall include the first, second and third story floor plans of the 16 unit buildings.
2. Submittal of the Site Master Plan sheet M1 is acceptable for the electronic CAD file requirement.
3. Temporary sanitary sewer service is available in the Hawks Landing Lift Station. Connection charges for the temporary use of this station are approximately \$10.00/1000 SF net area.
4. All lands within this development are subject to impact fees for the proposed Lower Badger Mill Creek Storm Sanitary Sewer Impact Fee District.

**GENERAL OR STANDARD REVIEW COMMENTS**

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

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

Name: 9401 Midtown Road Rezoning/Inclusionary Zoning

**General**

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing

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and proposed utility locations and landscaping.

- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

**Right of Way / Easements**

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

**Streets and Sidewalks**

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

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shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.

- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

#### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

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

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.

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- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.  
  
CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-Way lines (public and private)
  - f) Lot lines
  - g) Lot numbers
  - h) Lot/Plat dimensions
  - i) Street names

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.  
  
PDF submittals shall contain the following information:
  - a) Building footprints.
  - b) Internal walkway areas.
  - c) Internal site parking areas.
  - d) Lot lines and right-of-way lines.
  - e) Street names.
  - f) Stormwater Management Facilities.
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
  - a) SLAMM DAT files.
  - b) RECARGA files.
  - c) TR-55/HYDROCAD/Etc...
  - d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

**Utilities General**

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

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

**Sanitary Sewer**

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

3.7



# CITY OF MADISON FIRE DEPARTMENT

## Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295  
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 9/28/06  
TO: Plan Commission  
FROM: Edwin J. Ruckriegel, Fire Marshal  
SUBJECT: **9401 Mid Town Rd.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

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

1. None.

## **GENERAL OR STANDARD REVIEW COMMENTS**

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

2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  - a. The site plans shall clearly identify the location of all fire lanes.
  - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
  - c. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
3. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt



Department of Planning & Development  
 Planning/Inspection/Real Estate/Community & Economic Development  
 Mark A. Olinger, Director

Bradley J. Murphy  
 Planning Unit  
 215 Martin Luther King, Jr. Boulevard  
 P.O. Box 2985  
 Madison, WI 53701-2985  
 (608) 266-4635

**REVIEW REQUEST FOR:**

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

9401 MIDTOWN ROAD  
 RZ: A → PUD (GDP)  
 85 CONDOMINIUM UNITS  
 WILLIE KELLER / DAVE AND RUCZYK - ARNOLD &  
 OSHERIDAN, INC

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PLANNING UNIT CONTACT: TIM PARKS

RETURN COMMENTS BY: 12 OCTOBER 2006

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: dandruczyk@arnoldosheridan.com Fax: 821-8501

Date Submitted: 29 AUGUST 2006 Plan Commission: 23 OCTOBER 2006

Date Circulated: 30 AUGUST 2006 Common Council: 07 NOVEMBER 2006

**CIRCULATED TO:**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> ZONING          | <input type="checkbox"/> DISABILITY RIGHTS            | <input type="checkbox"/> ALD. _____ DIST. _____ |
| <input checked="" type="checkbox"/> FIRE DEPARTMENT | <input type="checkbox"/> POLICE DEPT. - THURBER       | <input type="checkbox"/> MADISON GAS & ELECTRIC |
| <input type="checkbox"/> PARKS DIVISION             | <input type="checkbox"/> CITY ASSESSOR - SEIFERT      | <input type="checkbox"/> ALLIANT ENERGY         |
| <input type="checkbox"/> TRAFFIC ENG.               | <input type="checkbox"/> MADISON METRO - SOBOTA       | <input type="checkbox"/> A T & T                |
| <input type="checkbox"/> CITY ENG. - GEBERT         | <input type="checkbox"/> BOARD OF EDUCATION C/O SUPT. | <input type="checkbox"/> T D S                  |
| <input type="checkbox"/> CITY ENG. - PEDERSON       | <input type="checkbox"/> PUBLIC HEALTH - SCHLENKER    | <input type="checkbox"/> MT. VERNON TELE        |
| <input type="checkbox"/> WATER UTILITY              |   |   |
| <input type="checkbox"/> CDBG - CONSTANS            | <input type="checkbox"/> NEIGHBORHOOD ORGANIZATION    |   |
| <input type="checkbox"/> REAL ESTATE - EKOLA        |   |   |

- Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.
- One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.
- The above is located in your district. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.
- The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.

**RETURN COMMENTS TO: PLANNING UNIT, DEPARTMENT OF PLANNING & DEVELOPMENT**

**NO COMMENTS / YOUR COMMENTS:**

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## Traffic Engineering and Parking Divisions

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

Suite 100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2986

Madison, Wisconsin 53701-2986

PH 608 266 4761

TTY 866-704-2315

FAX 608 267 1158

October 12, 2006

TO: Plan Commission

FROM: David C. Dyer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: 9401 Mid Town Road – Rezoning - PUD (GDP) – 85 Condominium Units Hawks Ridge Condos

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

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

1. The rezoning is subject to the same comments as the related plat of 9401 Midtown Rd; the plat conditions shall be satisfied prior to rezoning sign-off.

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. The rezoning is subject to the same comments as the related plat of 9401 Midtown Rd; the plat conditions shall be satisfied prior to rezoning sign-off.

### GENERAL OR STANDARD REVIEW COMMENTS

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

3. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, slope, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
4. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
5. A "Stop" sign shall be installed at a height of seven (7) feet for the Community Center and Condo Units driveway approaches. All signs at the approaches shall be installed behind the

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property line. All Community Center and Condo Units directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

6. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.
7. The applicant shall design the underground and surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
8. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Dave Andruczyk  
Fax: 608-821-8501  
Email: [dandruczyk@arnoldandosheridan.com](mailto:dandruczyk@arnoldandosheridan.com)

DCD: DJM: dm

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## Traffic Engineering and Parking Divisions

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

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

October 12, 2006

TO: Plan Commission  
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager  
SUBJECT: **9401 Mid Town Road – Final Plat– Hawks Ridge /Town of Verona Sec 4**

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

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

1. None

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. The applicant shall provide a 20 foot wide easement for a pedestrian and bicycle path along the western edge of the development from Midtown Road on the north to the southern plat boundary.
3. The public dedication along the north boundary of the plat shall include an additional five feet to add to the standard sidewalk to be able to create a pedestrian and bicycle connection from the path in 2 above to a pedestrian and bicycle crossing Midtown Road at a point opposite the pedestrian bicycle path to be built through Kingswood Park on the north side of Midtown Road.
4. Applicant shall be responsible for constructing the pedestrian-bicycle paths indicated in 2 and 3 above and designing these to City specifications.
5. Applicant shall be financially responsible for the cost of construction of the pedestrian refuge island connection on Midtown Road.

### GENERAL OR STANDARD REVIEW COMMENTS

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

6. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit

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for their reasonable and proportionate share of traffic signal costs.

7. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

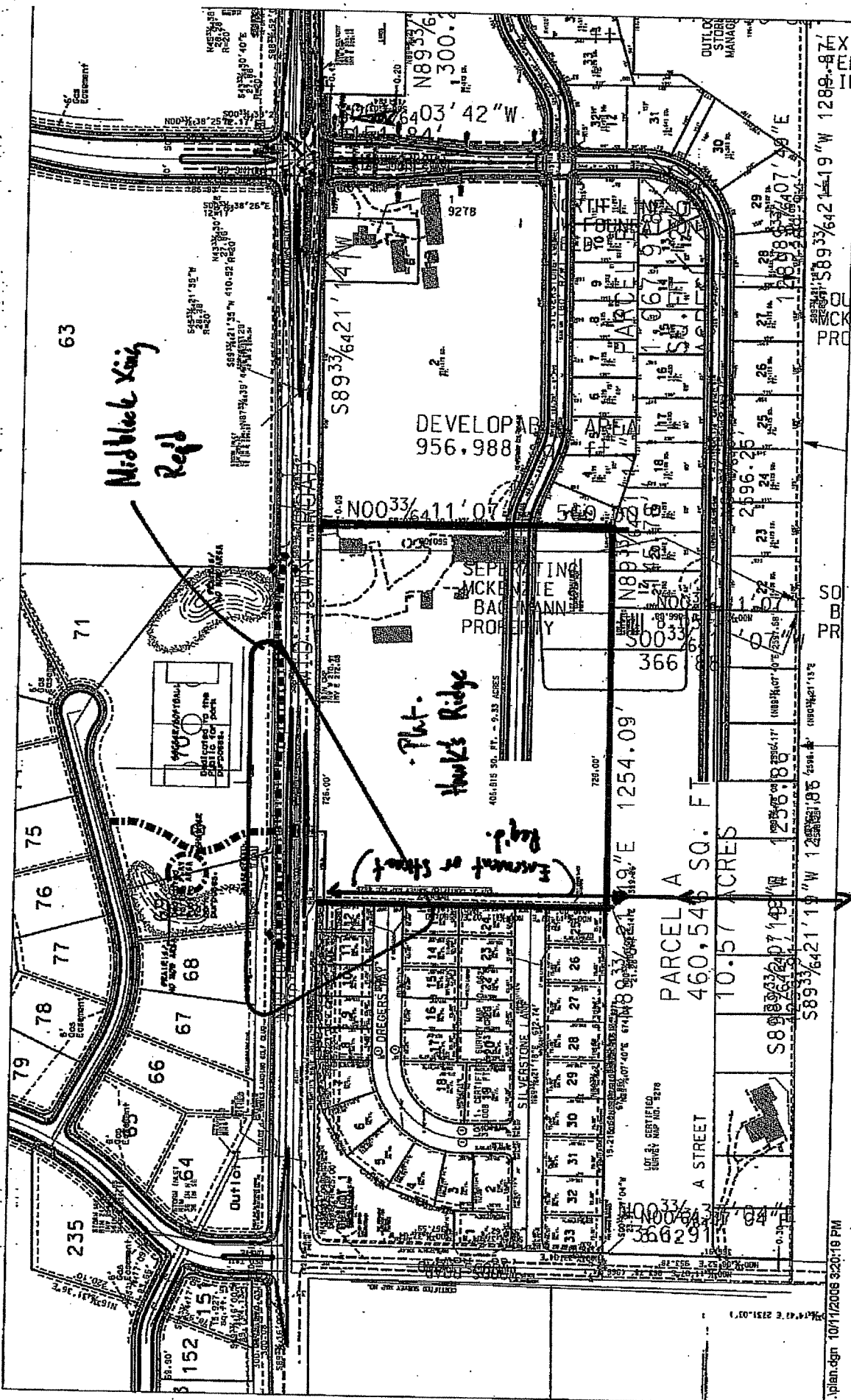
Please contact Dan J. McCormick, P.E., City Traffic Engineering at 266-4761 if you have questions regarding the above items.

Contact Person: Dave Andruczyk  
Fax: 608-821-8501  
Email: [dandruczyk@arnoldandosheridan.com](mailto:dandruczyk@arnoldandosheridan.com)

DCD:DJM:dm

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Middlebury Road  
Repld

Plant.  
Hawks Ridge  
Repld or Street

Parcel A  
460,546 SQ. FT.  
10.57 ACRES  
1254.09' E  
19.00' W  
1254.09' E  
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1254.09' E  
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**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** October 12, 2006

**To:** Plan Commission

**From:** Kathy Voeck, Assistant Zoning Administrator

**Subject:** 9401 Mid Town Rd, Rezoning , Hawks Ridge Plat, and Demolition

**Present Zoning District:** Ag

**Proposed Use:** 85 Condominium units with a clubhouse/community center with lower level two bedroom apartment (included in 85 units) for guests and a pool (Demolition of buildings in plat approval)

**Requested Zoning District:** PUD(GDP)

**Conditional Use:** 28.04(22) Demolition of principal buildings requires Plan Com app.

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

GENERAL OR STANDARD REVIEW COMMENTS

1. The face of the plat shall include the following statement. "This subdivision is subject to the Inclusionary Zoning sections of Chapter 28 of the Madison General Ordinances. This requirement shall be satisfied by a separate recorded restriction."
2. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit, to CDBG, a copy of the approved inclusionary zoning plan for recording prior to zoning sign off of the plat and rezoning.
3. Obtain PUD(GDP) sign off and IZ approval prior to recording the Plat. Contact Zoning when the plat is ready to be recorded. Zoning and IZ documents shall be recorded at the same time.
4. At the SIP, provide a break down of how many 1 bdrm, 2 bdrm, 3 bdrm, etc. units there will be in the project.
5. At the SIP, provide dimensions and setbacks on the plans.

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6. In the family definition, the occupancy shall be either per the R-1 or the R-4. Occupancy of the single family and duplex units can be per the R-1 and occupancy of the 16 units can be per the R-4. It can't revert from one to the other because of ownership or tenants. The chart with number of units, etc. shall be moved to a permitted use section of the text. Separate the use from the "family definition". Whether a unit is rental or owner occupied and the process/terms to rent the units should be in the condominium documents, IZ documents or deed restrictions, not in the zoning text.

**ZONING CRITERIA**

Bulk Requirements	Required	Proposed
Lot Area	170,000 sq. ft. min. for 85 units assuming 2 bdrms each (Will compare in SIP with actual # of bdrms per unit)	406,515 sq. ft.
Lot width	50'	adequate
Usable open space	500 sq. ft. per unit	To be reviewed at SIP
Front yard	25'	To be reviewed at SIP
Side yards	depends on bldg. size & # of units	To be reviewed at SIP
Rear yard	35'	To be reviewed at SIP
Building height	2 stories/35'	2 and 3 stories

Site Design	Required	Proposed
Number parking stalls	Dep. on # of bdrms per unit	To be rev. at SIP
Accessible stalls	Per State Codes	To be rev. at SIP
Loading	Dep. on size of multi fam bldg	To be rev. at SIP
Number bike parking stalls	1 per unit in 16 unit bldgs.	To be rev. at SIP
Landscaping	Yes	To be rev. at SIP
Lighting	Yes	To be rev. at SIP

Other Critical Zoning Items	
Urban Design	Yes
Flood plain	No
Utility easements	Yes
Barrier free (ILHR 69)	Yes

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

\* Since this project is being rezoned to the (PUD) district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the R-4 district, because of the surrounding land uses.

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**AGENDA # 5**

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION  
TITLE: 9401 Mid-Town Road – PUD(GDP),  
Mixed-Use Condominium Development.  
1<sup>st</sup> Ald. Dist. (03430)

**PRESENTED:** August 23, 2006  
**REFERRED:**  
**REREFERRED:**  
**REPORTED BACK:**

AUTHOR: William A. Fruhling, Acting Secretary

**ADOPTED:** **POF:**

DATED: August 23, 2006

**ID NUMBER:**

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

**SUMMARY:**

At its meeting of August 23, 2006, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD(GDP) for a mixed-use condominium development located at 9401 Mid-Town Road. Appearing on behalf of the project were Casey Louther and Willy Keuhler. Louther stated that they were able to rotate the southwest building at the corner, which reduced the amount of paving, created some usable open space, and addressed the concerns of the Fire Department and Traffic Engineering. They were also able to make some slight pavement reductions in other portions of the site. Louther distributed some revised building plans for the multi-family buildings to give a sense for the style and materials. He stated that he would like to have some general criteria for the single-family units and let staff determine if each project meets them. Wagner asked that close attention be paid to the horizontal banding as the design develops. It was clarified that there is on-street parking on both sides of the street.

**ACTION:**

On a motion by March, seconded by Geer, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a unanimous vote of (8-0).

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5.75, 6, 7, 7, 7, 7.5 and 8.

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URBAN DESIGN COMMISSION PROJECT RATING FOR: 9401 Mid-Town Road

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	8	8	8	-	-	7	9	8
	6	5	-	6	-	6	5	6
	6	4	-	-	-	-	5.5	5.75
	8	6	6	7	-	7	7	7
	7	-	-	-	-	6	7	7
	6	-	-	-	-	6	-	-
	7	6	8	8	-	7	7	7.5
	8	-	-	-	-	7	7	7

General Comments:

- Tweaking has much improved the design.
- Nice plan – good mix of uses and efficient use of land, especially providing for green courtyards.
- Architecture needs work yet. But site plan is improved. Appreciate applicant’s creativity in working with the Fire Department.
- Much improved open space areas, allowing for better pedestrian connections.
- Excellent response to previous comments and overall successful composition.
- Congratulate applicant’s changes – especially adding greenspace and reducing paved areas.

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