



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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June 28, 2022

Brian Munson
Vandewalle & Associates
120 E Lakeside St
Madison, WI 53715

RE: Legistar ID 71246; Accela 'LNDUSE-2022-00039' -- Approval of conditional uses at 2101-2115 East Springs Drive

Dear Brian:

At its June 27 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional uses to build 463 dwelling units in three four-story residential building at 2101-2115 East Springs Drive. In order to receive final approval of your request and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact my office at (608) 243-0455 if you have any questions regarding the following two (2) items:

1. Provide an exhibit showing the centerline of Starkweather Creek and the setback distances of buildings A and D from the Creek.
2. Make the recommended changes to the plan set as noted in the motion of the UDC at its June 15, 2022 meeting:
 - That a row of evergreen trees (Thuja Green Giant) be added to the portion of the site that fronts the Interstate. Consideration should be given to pushing the evergreens as far back on the property as possible to allow for the row of maples to remain. .
 - That a third color or material be added to the building material palette and design to provide less similarity from building-to-building.
 - Consider re-examining the third floor roof element with the goal of reducing the heaviness of the element. Consideration should be given to returning this element to the vertical projecting element on the building end wall.
 - Push the walpaks back from the primary edge of the balconies to reduce visibility from the street.

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following eight (8) items:

3. Clearly show the useable open space areas on the final plans. In addition to showing structured useable open space at balconies or rooftop areas, identify each qualifying at-grade usable open space area on the final plans.

4. Some bicycle parking stalls and/or access aisles appear to be obstructed by columns or other objects. Bicycle stalls must meet the dimensional requirements without any obstructions.
5. 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 ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
6. Provide a 75-foot protective buffer from the wetlands pursuant to Madison General Ordinances 37.09(3)(h) and the Wisconsin Administrative Code Chapter NR 103.04.
7. Show the designated flood plain area on the site plan. Any construction within a flood plain shall meet floodproofing protection measures and such design shall be certified by a registered professional engineer or architect per 28.121(12) of the Madison General Ordinances.
8. Revise elevations to demonstrate compliance with Sec. 28.129 Bird-Safe Glass Requirements. Provide specifications of the type of bird-safe glass treatment to be used.
9. Label electric vehicle parking stalls, both EV ready and EV installed. A total of 10% (70 stalls) must be EV ready, and 2% (14 stalls) must be EV installed.
10. This property is subject to shoreland zoning, as specified in Sec. 28.005(1)(b).

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following eighteen (18) items:

11. The proposed sewer connection invert to MMSD will likely be required by MMSD to connect above the crown of MMSD sewer and this will affect the slopes of the proposed private sewer mains on the lot. Applicant shall confirm feasibility of proposed connection to MMSD prior to plan signoff.
12. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
13. Construct multi-use path, sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer
14. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
15. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Lien Road Interceptor \$3.90/1000 sf.

16. The proposed sewer connection to the MMSD sewer access structure shall conform to all MMSD connection specification criteria. Contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: Contractor shall notify Ray Schneider (608)3473628, rays@madsewer.org, 5 days prior to making the connection to the MMSD manhole to arrange for inspection of the connection.
17. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
18. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
19. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
20. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 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. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
21. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
22. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
23. 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 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. 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 P.E. or licensed Plumber that show this requirement has been met.
24. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
25. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan.

Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

26. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

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

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Detain the 2, 10, 100 & 200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

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

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

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

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

storm and sanitary sewer utilities.

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

Please contact Julius Smith of the City Engineering Division – Mapping Section at (608) 264-9276 if you have any questions regarding the following four (4) items:

29. Grant a Public Sidewalk and Bike Path Easement to the City on the face of a forth coming Certified Survey Map with the size and location to be determined by the City of Madison Engineering and Traffic Engineering Departments
30. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building or early start permit.
31. The address for Building A is 2003 East Springs Dr.
The address for the clubhouse is 2015 East Springs Dr.
The address for Building B is 2027 East Springs Dr.
The address for Building C is 2039 East Springs Dr.
The address for Building D is 2041 East Springs Dr.
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.
32. Submit a site plan and a complete set of building Floor Plans (for each individual building) in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of an interior and building addressing plan for the proposed multi-building complex. Each building page should include a key locator and north arrow. Also, include a unit matrix for the apartment buildings. 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 Verification submittal stage of this LNDUSE with Zoning. The approved Addressing Plan shall be included in the final application. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. 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 Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following sixteen (16) items:

33. The applicant shall work with Traffic Engineering and Engineering on determining the final location for the multiuse path. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off for public path improvements, final path alignment to be determined by City Engineer.

34. The applicant shall work with Traffic Engineering and Engineering on providing a path connection along the southern edge of their site to connect to a future path to the east and west.
35. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale 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.
36. 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.
37. 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.
38. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
39. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
40. All pedestrian walkways adjacent parking stalls shall be 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.
41. Per Section MGO 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.
42. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
43. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by DeAndre Newson, (266-4768, dnewson2@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
44. The driveway slope to the underground parking is not identified in the plan set, Traffic

Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

45. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
46. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
47. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
48. 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 Bill Sullivan of the Fire Department at (608) 866-4691 if you have any questions regarding the following five (5) items:

49. Provide an aerial access lane parallel to one entire side for buildings exceeding 30-ft in height. Building A does not have aerial access parallel to an entire side.
50. Provide documentation that the proposed private water mains are sized to meet the required fire flow demands as indicated by IFC Annex B or other national standards.
51. Due to the connection between Buildings A & B, MFD will consider this one structure as far as building code and fire protection system applications.
52. Coordinate the selected tree species mature canopy widths with the aerial access lanes. The canopies may not encroach into the aerial access lanes.
53. Provide documentation that the aerial access for Building D meets the required minimum 25% of the entire building perimeter.

Please contact Kate Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following one (1) item:

54. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 22010 when contacting Parks about this project.

Please contact Jeff Heinecke of the Forestry Section at (608) 266-4890 if you have any questions regarding the following one (1) items

55. As defined by Madison General Ordinance 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

56. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. 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 & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
57. All water main within the proposed site will be considered private.

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

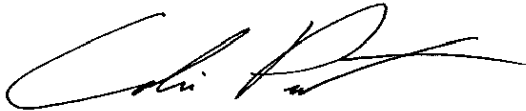
Please now follow the procedures listed below for obtaining your conditional use:

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** 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 to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options) 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 to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
3. The conditional use approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.

4. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for 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 City Plan Commission and the conditional use approval standards.
5. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,



Colin Punt
Planner

cc: Jacob Moskowitz, Asst. Zoning Administrator
Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division – Mapping
Sean Malloy, Traffic Engineering Division
Bill Sullivan, Fire Department
Kate Kane, Parks Division
Jeff Belshaw, Water Utility
Jeff Heinecke, Forestry Section
Jessica Vaughn, UDC Secretary

I hereby acknowledge that I understand and will comply with the above conditions of approvals.

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2022-00039			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Punt)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering	☒	Recycling Coord. (R&R)
☒	Fire Department	☒	Water Utility
☐	Metro Transit	☒	Other: Forestry