



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

July 9, 2021

Nick Patterson
Interstate Overlook, LLC
641 W Main Street
Sun Prairie, Wisconsin 53590

RE: Consideration Approval of a request to rezone 4205 Portage Road from Temp. A (Agricultural District) to TR-U1 (Traditional Residential–Urban 1 District) for future multi-family development (ID 63216)

Dear Mr. Patterson;

At its July 6, 2021 meeting, the Common Council **approved** the rezoning of 4205 Portage Road to TR-U1 subject to the conditions, stipulations, and notices in the following sections, which will apply to any future applications to develop the subject site.

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following twenty-seven (27) items:

1. The developer shall provide projected wastewater flows for the proposed development as a condition for development. Off-site sanitary sewer improvements (upsizing sewer on Portage Road) may be required to serve the proposed development. If off-site sewer improvements are determined to be needed, developer will be required to build these improvements as a condition of development.
2. This site sits at the bottom of approximately a 20-acre watershed. The development shall work with City Engineering to design and dedicate a drainage easement to pass water safely through the site. Additionally, there is insufficient drainage capacity at on DiLoreto Avenue and Portage Road to accept full discharge from this site. The developer shall either construct additional public improvements off-site to allow this to proceed or shall limit discharge to the capacity of the storm sewer system.
3. Future development of these lands will require construction of Madison standard street, multi-use path, and sidewalk improvements roughly following the approved Hanson Road Neighborhood Development Plan and as required by City Engineer.
4. Enter into a City / Developer agreement for the required infrastructure improvements for the future development. Agreement to be executed prior to sign off of final plans and issuance of building permits for new development. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement.

5. Construct sidewalk/terrace improvements/pavement patching on Schlimgen Avenue and Packers Avenue to a plan and profile as approved by City Engineer
6. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
7. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. This property is subject to Sanitary Connection charges for the Portage Avenue Interceptor District \$13.30/1,000 sq. ft. (2021 rate) and Portage Avenue Interceptor Section 22 \$79.36/1,000 sq. ft. (2021 rate).
8. An Erosion Control Permit is required for this project.
9. A Storm Water Management Report and Storm Water Management Permit is required for this project.
10. A Storm Water Maintenance Agreement (SWMA) is required for this project.
11. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Wisconsin Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
12. Construct pavement, curb and gutter, terrace, and sidewalk along Portage Road as required by City Engineer with future development of land. The conceptual drawings show the proposed sidewalk located a ways off the property line. Note that the sidewalk along Portage Road shall be constructed one foot off the property line.
13. Future plans show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
14. Future plans shall 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.
15. The future plan set shall show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. 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.

16. 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. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The developer/owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service to which they are comfortable.
17. 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-year 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.
18. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year, 24-hour design storm when the storm sewer is at capacity.
19. 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.
20. This project will disturb 20,000 square feet 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.
21. 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.
22. 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 Madison-Dane County, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
23. 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.
24. 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.

25. Prior to final approval of future development plans, 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 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.

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

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

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

Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.

Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

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.

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

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

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following six (6) items:

28. West Creekwood Drive is not valid for a private named drive. Submit naming suggestions to Lori Zenchenko for review and approval LZenchenko@cityofmadison.com. 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.
29. All building and interior apartment addresses will need to be preapproved. Submit a site plan and 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

apartment complex. Each building page should include a key locator and north arrow. 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 final verification submittal stage of this LNDUSE with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

30. Any future development of these lands will be required to accommodate and dedicate land or grant public easements for public bike and pedestrian paths to be extended through this area.
31. Any future development will require the full and final dedication of lands necessary for the full and final construction of Di Loreto Avenue and associated public utilities. The portion of the road currently within these lands currently is only a public road easement.
32. Street name is two words Di Loreto. 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.
33. The land has been attached to the City of Madison. Future submittals shall reference the City address of the parcel (4205 Portage Road) along with the City parcel id 251/0810-222-0301-2. Future plans shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following item:

34. Note: This review is for the proposed rezoning only. Zoning comments for the proposed residential building complex will be finalized as part of the conditional use process for setbacks, open space, lot coverage, etc. The Plan Commission can reduce this requirement as part of the conditional use process.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

35. The Madison Fire Department does not object to this rezoning. All future development shall comply with all applicable fire codes and ordinances.

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

36. All future public water mains and water service laterals shall be installed by a standard City subdivision contract/City-Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.
37. 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 and Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.

Please contact Ann Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following item:

38. 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 North Park-Infrastructure Impact Fee district. Please reference ID# 20045 when contacting Parks Division staff about this project.

Please contact Brad Hofmann of the Forestry Section at 267-4908 if you have any questions regarding the following item:

39. Note: Per MGO Section 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 my office at 261-9632 if you have any questions regarding the following five (5) items:

40. The applicant is hereby notified that is in the public interest for any future residential development of the subject site adjacent to Interstate 39/90/94 to comply with highway noise mitigation measures including but not limited to the Highway Noise Land Use Provisions in MGO Section 16.23(3)(d) and State of Wisconsin Administrative Codes TRANS 233 and TRANS 405. Compliance with this condition shall be enforced through any subsequent land use or subdivision approvals for the site prior to issuance of building permits and may include, but not be limited to, the construction by the developer of landscape berms or sound-mitigating walls to mitigate exterior highway noise levels to 67 decibels or fewer and the use of building construction methods that limit interior highway-generated noise levels to 52 decibels or fewer. The cost of the highway noise mitigation, including the studies to determine the impacts on the project, shall be borne entirely by the developer.
41. The developer shall acknowledge the presence of existing and future high levels of noise and vibration resulting from the adjacent interstate and nearby Dane County Regional Airport. The developer is strongly encouraged to include an acknowledgement regarding the presence of these transportation facilities in the leases for all proposed units.
42. Note: Approval of the zoning map amendment by the Plan Commission and Common Council does not constitute approval of the development conceptually shown for the property. Following approval of the rezoning, the applicant or successor will be required to submit applications for conditional use approval to the Plan Commission pursuant to the processes in Section 28.183 of the Zoning Code. Future development is required to comply with the applicable bulk and design requirements of the

Zoning Code, including the general provisions for residential districts in Section 28.031 and the building form standards in Section 28.172.

43. Future development of the site shall include the dedication and construction of a north-south public street consistent with the land use and street plan in the amended Hanson Neighborhood Development Plan.
44. Future development of the site will be expected to reflect the character recommended in the amended Hanson Neighborhood Development Plan, including higher density west of the future north-south street consistent with the Housing Mix 4 recommendation, and reduced scale and density between that street and Interstate 39/90/94 consistent with the Housing Mix 3 recommendation.

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

If you have any questions about your approval or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division
Sean Malloy, Traffic Engineering Division
Jacob Moskowitz, Asst. Zoning Administrator
Bill Sullivan, Madison Fire Department
Jeff Belshaw, Madison Water Utility
Tim Sobota, Metro Transit
Ann Freiwald, Parks Division
Brad Hofmann, Forestry Section