

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 3601 Cross Hill Drive (District 17 – Ald. Baldeh)  
**Application Type:** Conditional Use, Zoning Map Amendment, and Certified Survey Map  
**Legistar File ID #:** [47238](#), [46971](#) & [46974](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Property Owner:** Jon Lancaster; Lancaster Investments, Inc.; 2906 Marketplace Drive, Ste. A; Madison, WI 53719

**Contact:** Justin Frahm; JSD Professional Services, Inc.; 7402 Stone Ridge Drive, Ste. 4; Weston, WI 54476

**Requested Actions:** There are multiple approval requests before the Plan Commission: 1) a two-lot Certified Survey Map; 2) two Zoning Map Amendments to rezone the eastern resulting lot (CSM Lot 1) from the A (Agricultural) District to the TR-U1 (Traditional Residential - Urban 1) District and the western resulting lot (CSM Lot 2) from the A (Agricultural) District to the CC (Commercial Center) District; and 3) three Conditional Uses (for a residential building complex, for a multi-family dwelling containing more than 8 dwelling units, and for accessory outdoor recreation). Additionally, the applicant requests approval of an amendment to the Nelson Neighborhood Development Plan, which staff believes would be necessary in order for the requested rezoning on Lot 1 to be approved (note: a separate staff report has been prepared for that request).

**Proposal Summary:** The applicant proposes to develop a three building residential building complex with 189 apartments in three buildings and a clubhouse on the eastern lot (CSM Lot 1). As part of the proposal, the applicant first requests approval of a two-lot Certified Survey Map (CSM) to divide the subject site into two lots: CSM Lot 1, a 6.86-acre lot to the east and accessed via Cross Hill Drive and CSM Lot 2, a 1.81-acre lot fronting onto High Crossing Boulevard. Second, the applicant requests approval to rezone these two lots – from the A (Agricultural) District to the TR-U1 (Traditional Residential - Urban 1) District for CSM Lot 1 and from the A (Agricultural) District to the CC (Commercial Center) District for CSM Lot 2.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Land Divisions [MGO §16.23]; Zoning Map Amendments [MGO §28.182(6)]; and Conditional Uses [MGO §28.183(6)] (because §28.032(1) of the Zoning Code lists a residential building complex; a multi-family dwelling containing more than 8 dwelling units, and accessory outdoor recreation all as Conditional Uses in the TR-U1 (Traditional Residential - Urban 1) District). The Supplemental Regulations [MGO §28.151] contain further regulations for residential building complexes and accessory outdoor recreation uses.

**Review Required By:** Urban Design Commission, Plan Commission, and Common Council.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission carefully review these proposals against the approval standards for Zoning Map Amendments, Conditional Uses, and Land Divisions. If, after the public hearing and review of materials, the Plan Commission can find the standards are met, the Plan Commission should forward Substitute Zoning Map Amendments Section 28.022-00287 and Section 28.022-00288 to the Common Council with a recommendation of **approval**. If the Plan Commission can determine that the Conditional Use standards are met, it should **approve** the conditional use requests subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies. If the Plan

Commission can determine that the standards for Land Divisions are met, it should **approve** the two-lot CSM. Each of these recommendations is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Each of these recommendations is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies. The Plan Commission's findings should be contingent on the approval of the amendment to the [Nelson Neighborhood Development Plan](#) which would change the recommended land use from Office/Service to Residential for the 6.86-acre site to accommodate consideration of a 189-unit residential development.

## Background Information

**Parcel Location:** The 377,800-square-foot (8.67-acre) subject property is located to the east of the intersection of High Crossing Boulevard with Cross Hill Drive. The site is within Aldermanic District 17 (Ald. Baldeh) as well as the limits of the Sun Prairie School District.

**Existing Conditions and Land Use:** The site is undeveloped and is zoned A (Agriculture).

### **Surrounding Land Use and Zoning:**

North: An auto dealership, zoned CC-T (Commercial Corridor-Transition District);

South: An auto body shop, zoned CC (Commercial Center) District; a City of Madison Water Tower, zoned TR-V1 (Traditional Residential – Varied 1) District; and multi-family apartment buildings, zoned PD (Planned Development) District;

East: Undeveloped land in the City of Madison, zoned A (Agriculture) District and predominately undeveloped land in the Town of Burke, zoned A-1 Agriculture District (Dane County Zoning); and

West: Commercial development, zoned CC-T.

**Adopted Land Use Plan:** The [Comprehensive Plan \(2006\)](#) recommends employment uses for the portion of the subject site proposed for residential development. The [Nelson Neighborhood Development Plan](#) (Nelson NDP) recommends office/service uses. Please note that as part of this application, the applicant also requests approval of an amendment to the [Nelson NDP](#) which would change the recommended land use from Office/Service to Residential for the 6.86-acre site to accommodate consideration of a 189-unit apartment development. A separate staff report has been prepared for that request and has been included in your packet of materials.

**Zoning Summary:** After the subject parcel is divided into two, the applicant requests to rezone CSM Lot 1, a 6.86-acre lot to the east (and the proposed location of the 189-unit residential development) from the A (Agricultural) District to the TR-U1 (Traditional Residential - Urban 1) District and CSM Lot 2, a 1.81-acre lot which fronts onto High Crossing Boulevard (and the potential future site of a possible convenience store/gasoline station) from the A (Agricultural) District to the CC (Commercial Center) District.

The table below relates to CSM Lot 1 and summarizes the proposed 189-unit residential development against the TR-U1 (Traditional Residential - Urban 1) District requirements.

Requirements	Required	Proposed
Lot Area (sq. ft.)	1,000 sq. ft./d. u. + 300 sq. ft. per bedroom > 2 (191,700 sq. ft.)	298,950 sq. ft.
Lot Width	50'	376.5'
Front Yard Setback	15' or average	25'
Max. Front Yard Setback	30' or up to 20% greater than block average	25'
Side Yard Setback	10'	61' West 73.5' East
Reverse Corner Side Yard Setback	12'	N/A
Rear Yard Setback	Lesser of 25% lot depth or 25'	143.5'
Usable Open Space	320 sq. ft. per d. u. (60,480 sq. ft.)	60,381 sq. ft. courtyard 12,600 sq. ft. balconies
Maximum Lot Coverage	75%	59%
Maximum Building Height	5 stories/ 65'	3 stories
Number Parking Stalls	<b>Multi-family dwelling:</b> Minimum 1 per dwelling (189) Maximum 2.5 per dwelling (472)	139 surface 189 underground (328 total)
Accessible Stalls	Yes	3 surface 5 underground (8 total)
Loading	None	None
Number Bike Parking Stalls	<b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (193) 1 guest space per 10 units (19) (212 total)	35 surface 178 underground (213 total) <i>(See Comments #54 &amp; #55)</i>
Landscaping and Screening	Yes	Yes <i>(See Comments #56, #57 &amp; #58)</i>
Lighting	Yes	Yes
Building Forms	Yes	Large multi-family building
<b>Other Critical Zoning Items</b>	Urban Design (Residential Building Complex); Barrier Free (ILHR 69), Utility Easements	

*Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator*

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

**Public Utilities and Services:** This property is served by a full range of urban services. Regarding Metro Transit service, the nearest stop is located at the intersection of High Crossing Boulevard and Cross Hill Drive with service every thirty minutes from roughly 7:00 am through 10:00 pm.

## Project Description

There are multiple approval requests before the Plan Commission:

- 1) An amendment to the Nelson Neighborhood Development Plan (note: a separate staff report has been prepared for that request and has been included in your packet of materials).
- 2) A two-lot Certified Survey Map (CSM) to divide the subject site into two lots: Lot 1, a 6.86-acre lot to the east and accessed via Cross Hill Drive and Lot 2, a 1.81-acre lot fronting onto High Crossing Boulevard;

- 3) Two Zoning Map Amendments to rezone CSM Lot 1 from the A (Agricultural) District to the TR-U1 (Traditional Residential - Urban 1) District and CSM Lot 2 from the A (Agricultural) District to the CC (Commercial Center) District; and
- 4) Three Conditional Uses – for *a residential building complex*, for *a multi-family dwelling containing more than 8 dwelling units*, and for *accessory outdoor recreation* (i.e. the swimming pool and communal patio areas in the center of the development) – in order to construct a residential building complex which would contain 189 apartments in three buildings and a clubhouse.

The site plan consists of three five-story buildings arranged roughly in a pentagon shape with an internal courtyard, communal swimming pool, and patio areas. The mix of residential units includes 24 efficiency units, 77 one-bedroom, 17 one-bedroom with den; 53 two-bedroom; 9 two-bedroom w/ den; and 9 three-bedroom apartments. The proposed residential density for the 6.86-acre lot is 27.5 dwelling units per acre. All three buildings take access from Cross Hill Drive via a drive aisle which encircles them. While each are five stories in height (not including a level of underbuilding parking), because there is a significant amount of slope across the site (roughly 20 feet), Buildings A & B are each effectively split into two. This results in the two building frontages along Cross Hill Drive which are oriented east-west on the site being on the same plane while the north-south wings of these buildings, as they extending to the north and away from Cross Hill Drive, are stepped down a full story. This vertical staggering enables the buildings to each have two partial floors of underbuilding parking, each with its own automobile access ramp.

The main entrance to Buildings A & B are via the Club House between them. Building C's main entrance is located on the right side of the western façade. While each building has additional entrances/exits into the interior courtyard and the majority of the units have either a private balcony or a front stoop, the two aforementioned main entrances are the only externally-oriented entrances for the three buildings.

Each of the three buildings have underbuilding parking providing one stall for each apartment. An additional 139 surface stalls are arranged around the perimeter of the site for tenants and guests. The majority of the stalls on the inside of the drive aisle are parallel while those on the outside are perpendicular. 178 bicycle stalls will be located underneath the building with an additional 35 stalls located around the site for guests.

The buildings are primarily clad with four tones of a smooth fiber cement siding – a light grey, a medium-grey, and a greyish-blue. A vertically-striped, darkish-blue fiber cement product emphasizes the corners along the Cross Hill Drive façades while a bluish-grey brick veneer is used for the base course as well as intermittently in large vertical expressions to help give rhythm to the composition. The balconies have railings made of perforated metal, colored yellow for Buildings A & B and a lime green for Building C.

The landscape plan includes foundation plantings around the buildings, and a mixture of ornamental and understory trees dotting the rest of the site. A sizable stormwater detention basin stretched the length of the northern lot line with another, much smaller basin occupying the southeast corner of the lot.

## Analysis and Conclusion

This proposal is subject to the standards for Zoning Map Amendments [MGO §28.182(6)]; Conditional Uses [MGO §28.183(6)]; and Land Divisions [MGO §16.23]. The analysis below begins with a summary of the adopted plan recommendations.

### Conformance with Adopted Plans

As the [Comprehensive Plan \(2006\)](#) recommends employment uses and the [Nelson Neighborhood Development Plan](#) (Nelson NDP) recommends office/service uses for the portion of the subject site proposed for residential development, the Planning Division believes that in order to find that the project could be found consistent with current adopted plan recommendations, the amendment to the [Nelson NDP](#) which would change the recommended land use from Office/Service to Residential for the 6.86-acre site to accommodate consideration of a 189-unit apartment development, must also be approved.

### Zoning Map Amendment Standards

The Zoning Map Amendment standards are relatively broad and state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the [Comprehensive Plan \(2006\)](#), and shall comply with Wisconsin and federal law.

Chapter 66.1001(3) of Wisconsin Statutes also requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

While the [Comprehensive Plan](#) (and its Generalized Future Land Use Plan Maps) illustrates a conceptual recommended land use pattern for the City of Madison, the maps are usually not sufficiently detailed to address the many nuances and specialized planning objectives of specific locations. For this reason, the [Comprehensive Plan](#) recommends that future changes in land use should be guided by the more-detailed recommendations of an adopted neighborhood plan, neighborhood development plan, or special area plan. Therefore, the Planning Division believes that the aforementioned amendment to the [Nelson NDP](#) must be approved in order to be able to find the proposed residential development consistent with the [Nelson NDP's](#) land use recommendations (and by proxy, the [Comprehensive Plan](#)).

### Conditional Use Standards

The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plans and finding that all of the conditional use standards of 28.183(6) MGO are met. Conformance with adopted plans is discussed above.

In regards to the conditional use standards, the Planning Division notes that the area has historically been planned for non-residential uses and the introduction of residential uses at this site, located adjacent to existing and planned auto-oriented uses, introduces potential challenges and conflicts. While such conflicts can possibly be mitigated, careful consideration should be given. Residential building complexes are required to provide "an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood." As proposed, a combination of setbacks and landscaping have been proposed to aid in this transition. The Planning Division believes such considerations relate closely to the following standards:

Conditional Use Standard 3: The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner

Conditional Use Standard 4: The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Conditional Use Standard 9: When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation.

In response to concerns expressed by the neighbors and Alder, the applicant completed a Traffic Impact Analysis (TIA) to measure potential impact of the 189 residential units being added to the nearby transportation network. The TIA was reviewed by Traffic Engineering staff who concluded that the proposed development did not pose a significant negative impact on the local transportation network and that only minor modifications (such as removing on-street parking stalls on Cross Hill Drive from the area near the intersection with High Crossing Boulevard and restriping the westbound lanes to include a right-only lane as well as a through/left turn lane) was necessary at this time.

#### **Land Division (Certified Survey Map) Standards**

The Planning Division believes that the Land Division standards of Section 16.23 can be met with the conditions recommended by Reviewing Agencies.

#### **Urban Design Commission**

Staff notes that the project received final approval from the Urban Design Commission at their June 28, 2017 meeting (see attached report).

#### **Public Input**

At the time of report writing, staff has not received any comments on the proposed request, but understands that several neighborhood meetings were held by Alder Baldeh, the most recent on June 29<sup>th</sup>, so that the proposal could be shared with nearby residents and others for feedback.

#### **Conclusion**

The applicant proposes to develop a 189-unit apartment complex on an undeveloped property, involving multiple requests before the Plan Commission including an amendment to the Nelson Neighborhood Development Plan, a CSM to divide the property into two lots, rezoning of the lots from A (Agriculture) to CC (Commercial Center) and TR-U1 (Traditional Residential-Urban 1), and conditional uses for the multi-family residential development as described in the report.

As discussed in this report, while directly across Cross Hill Drive from other multi-family development, the subject site has historically been recommended for non-residential and employment uses. Staff's primary concern with the apartment development is its proximity to auto-oriented uses, including the existing auto dealership and a potential future gas station on the abutting lot. The applicant has studied this site for several years and has indicated to staff that the site has not been marketable for other employment or hotel uses. From a land use perspective, careful consideration must be given to how this site transitions to these uses. Staff notes the applicant proposes this transition occur through building setbacks and landscaping.

From an aesthetic standpoint, the project was well-received at the Urban Design Commission meeting where final approval was recommended on June 28. From a traffic standpoint, the applicant has prepared a Traffic Impact Analysis which has been reviewed by the City's Traffic Engineering Division. Limited improvements have been recommended to off-set anticipated impacts.

On balance, the Planning Division believes it may be possible to find the applicable standards are met. During consideration of the related requests that would facilitate the proposal, the Plan Commission should carefully consider the merits of the amendment to the Nelson Neighborhood Development Plan and applicable standards covered in this report, and make a clear recommendation to the Common Council.

## Recommendation

### Planning Division Recommendation (Contact Chris Wells, 261-9135)

The Planning Division recommends that the Plan Commission carefully review these proposals against the approval standards for Zoning Map Amendments, Conditional Uses, and Land Divisions. If after the public hearing and review of materials the Plan Commission can find the standards are met, the Plan Commission should forward Substitute Zoning Map Amendments Section 28.022-00287 and Section 28.022-00288 to the Common Council with a recommendation of **approval**. If the Plan Commission can determine that the Conditional Use standards are met, it should **approve** the conditional use requests subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies. If the Plan Commission can determine that the standards for Land Divisions are met, it should **approve** the two-lot CSM. Each of these recommendations is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Each of these recommendations is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies. The Plan Commission's findings should be contingent on the approval of the amendment to the [Nelson Neighborhood Development Plan](#) which would change the recommended land use from Office/Service to Residential for the 6.86-acre site to accommodate consideration of a 189-unit residential development.

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

**Planning Division** (Contact Chris Wells, (608) 261-9135)

**Conditional Use and Rezoning Comments:**

1. In order to satisfy residential building complex supplemental regulation (d) which states: "an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood", the applicant shall work with Planning and Zoning Staff on the design of the buffer – be it of a wooden fence and/or landscaping – before final sign off.

**City Engineering Division** (Contact Brenda Stanley, (608) 261-9127)

**Conditional Use and Rezoning Comments:**

1. If the proposed development needs to drain the private sewer to the north, sanitary sewer impact fees will become due. If the developer is able to provide gravity drainage to Cross Hill Road, no City sanitary sewer impact fees will become due.
2. 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 5.0 tons per acre per year.
3. This project is required to maintain existing detention in the road ROW and integrate that with SWM on their property in a manner that the road portion of the system can be removed at a future time without significant impact to the system on private property.
4. All outstanding 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))
5. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
6. Applicant shall dedicate a 10' wide private sanitary sewer easement across the proposed lot #2 to the west as a condition of plan approval.
7. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas



- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [troester@cityofmadison.com](mailto:troester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

8. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [troester@cityofmadison.com](mailto:troester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))  
PDF submittals shall contain the following information:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-Way lines (public and private)
  - f) Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words unplatted
  - h) Lot/Plat dimensions
  - i) Street names
  - j) Stormwater Management Facilities
  - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
9. 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. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
10. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [troester@cityofmadison.com](mailto:troester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.

11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hr, 100-yr design storm. 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.
12. 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/constformsinfo.htm> (NOTIFICATION)
13. 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, & 100 -year storm events, matching post development rates to predevelopment rates.
14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
16. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
18. 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. (POLICY)
19. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
20. The Applicant shall Construct street & sidewalk to a plan approved by the City
21. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)

22. The approval of this zoning approval 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. (MGO 16.23(9)(d)(6))
23. 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. (POLICY)
24. 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. (POLICY)

**CSM Comments:**

25. All outstanding 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))
26. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley at 608-261-9127 ([bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com)) 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). (POLICY)
27. 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 management at the time they develop."
28. The developer shall record a waiver of their right to notice and hearings for the assessments for the improvement of Cross Hill Drive in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.

**City Engineering Division - Mapping** (Contact Jeffrey Quamme, (608) 266-4097)

**Conditional Use and Rezoning Comments:**

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| <ol style="list-style-type: none"><li>29. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.</li></ol> |
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30. The lots for the pending Certified Survey Map are inter-dependent upon one another for stormwater runoff conveyance, and a private drainage system exists for the entire site. An agreement shall be provided setting forth the rights and responsibilities of the 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 prior to final sign off.
31. A Public Temporary Storm Water Management Easement shall be provided at the southeastern corner of the site for the Regional Pond Interim Condition proposed within this lot. This may be accomplished on the pending Certified Survey Map. Contact Jeff Quamme for the required language.
32. Submit a PDF of all floor plans for each separate building to Lori Zenchenko ([Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com)); so that a preliminary building and preliminary interior addressing plan can be developed prior to plans being submitted for a permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
33. 3601 Cross Hill Dr. will not be used for any addresses in this apartment complex. Building addresses TBD when floor plans PDF's are received and the addressing plan is created. 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.

**CSM Comments:**

34. A Temporary Storm Water Management Easement shall be provided at the southeastern corner of Lot 1 for the Regional Pond Interim Condition proposed within this lot. This shall be accomplished on this Certified Survey Map. Contact Jeff Quamme for the required language.
35. A 10' wide Private Sanitary Sewer Easement shall be granted over the northwesterly 10 feet of Lot 2 for sewer that is very close to the High Crossing Blvd right of way. Contact Jeff Quamme for the required language.
36. A 20' permanent limited easement for grading and sloping shall be dedicated along Cross Hill Drive from the existing street pavement end easterly to the east line of the CSM.

37. The Wisconsin Bell Easement retained per Document No. 2526116 shall be shown and noted on the CSM in the northwesterly corner. The easement shall also be added to the updated title report.
38. The updated title report shall remove all non-applicable items prior to final sign off.
39. Show and label the lots for CSM 10587 to the east of this Certified Survey Map.
40. Insert the standard language pre MGO 16.23(9)(d)2.a. verbatim. If this is done, all of the previous nonexclusive easements for drainage easements are released and new drainage easements defined by the current proposed Certified Survey Map.
41. Remove the Consent of Corporate Mortgage Certificate and the Treasurer's Certificate. Also correct the name of the Secretary of the Plan Commission.

42. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)). If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office and shall be attached to a signed and sealed monument condition report. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.
43. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe pdf format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat:
- Right-of-Way lines (public and private)
  - Lot lines
  - Lot numbers
  - Lot/Plat dimensions
  - Street names
  - 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 from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.
44. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division signoff. Electronic mail submittal of the FINAL Plat or CSM in PDF form is preferred. Transmit to [jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)
45. This pending Certified Survey Map application shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
46. The site plan shall identify existing driveway / impervious areas.

**Traffic Engineering** (Contact Eric Halvorson, (608) 266-6527)

**Conditional Use and Rezoning Comments:**

47. The eastern entrance and driveway are of atypical design due to the retention pond that exists in the Cross Hill Drive Right-of-Way that will not be removed until such time as the lands to the east are developed. Once this condition has been resolved the City will extend Cross Hill Drive to the east and reconstruct the entrance to conform with City standards. At this time the applicant shall, at their own expense, reconstruct the driveway on their property to align with the reconstructed entrance and submit an updated site plan showing the new conditions. Additionally, the applicant shall note the above condition on the site plan.

48. The applicant shall provide a TIA to be reviewed by Traffic Engineering. After the TIA has been reviewed Traffic Engineering will provide comments to the Plan Commission. (TIA has been reviewed and approved by TE 6/30/17)

49. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.

50. 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.

51. 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.

52. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)

**Conditional Use and Rezoning Comments:**

53. On the site plan, show the proposed building setback distances measured from the property lines.

54. Provide the minimum required number of bicycle parking spaces for Buildings A, B, and C distributed as both Short Term and Long Term bicycle parking, as required per Sections 28.141(4) and 28.141(11). For a multi-building development, bicycle parking shall be provided for each building. For Building C, a minimum of 70 resident bicycle stalls are required plus 7 guest stalls. A minimum of 90% of the resident stalls (63 stalls) shall be designed as long-term parking located within the building, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking.

55. Relocate the bicycle stalls placed between buildings A and B and adjacent the clubhouse to an area(s) outside of the 15-foot front yard setback. Bicycle stalls are not allowed encroachments into the required front yard setback. Identify and dimension the surface and underground bicycle stalls, including the access aisles, on the final plans. A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. The access aisle may not be obstructed by vehicles, columns or other structures. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.
56. 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.
57. Provide details of the pool, pool deck, terrace seating areas, gathering spaces and other site amenities.
58. Work with Planning and Zoning staff to provide an appropriate transition area between the residential building complex and the adjacent properties to the north and east. Per the supplemental regulations for a residential building complex (Section 28.151), an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
59. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
60. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Madison Fire Department** (Contact Bill Sullivan, (608) 261-9658)

**Conditional Use and Rezoning Comments:**

61. MFD does not object as long as the project complies with all applicable building and fire regulations. As currently indicated, Building A & B will be (1) building/structure per the building and fire codes. MFD expects systems to be designed accordingly.

**Parks Division** (Contact Janet Schmidt, (608) 261-9688)

**Conditional Use and Rezoning Comments:**

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| <ol style="list-style-type: none"><li>62. 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(6) 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# 17125 when contacting Parks about this project.</li></ol> |
|---|

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

**CSM Comments:**

64. 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(6) 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# 17125 when contacting Parks about this project.

65. The following note should be included on the subdivision: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."

66. Parks Division will be required to sign off on this subdivision.

**Water Utility** (Contact Adam Wiederhoeft, (608) 266-9121)

**Conditional Use and Rezoning Comments:**

67. Water Utility contact information/phone numbers do not direct to Madison Water Utility - revise Utility Note 12 on sheet C300.

68. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working day's notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin 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.

**Office of Real Estate Services** (Contact Heidi Radlinger, (608) 266-6558)

**CSM Comments:**

69. CERTIFICATE AND CONSENT REQUIREMENTS:

- a. Update Plan Commission signatory.
- b. Remove Corporate Mortgagee certificate as there is no mortgage per record title.
- c. Remove City Treasurer Certificate

70. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS: The 2016 real estate taxes are paid for the subject property. As of May 30, 2017, there are special assessments reported on the subject property. All special assessments shall be paid in full prior to CSM signoff, pursuant to MGO Section 16.23(5)(g)1.

71. STORM WATER FEES: Please coordinate with Tim Troester (608-267-1995) or Brenda Stanley (608-261-9127) in the City Engineering Division to obtain any outstanding storm water management fees from the City of Madison Water Utility. Receipts for the payment of the prorated fee shall be presented prior to CSM approval sign-off.



72. TITLE REPORT UPDATE: Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services (hradlinger@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (3/20/2017) submitted with the CSM application and include all associated documents that have been recorded since the initial title report. Surveyor shall update the CSM with the most recent information reported in the title update.
73. COPY OF RECORDED CSM: The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

**Conditional Use and Rezoning Comments:**

74. Metro Transit provides daily bus service along High Crossing Boulevard, at stops in the Cross Hill Drive intersection. Trips operate every thirty minutes from roughly 7am through 10pm.