



Department of Planning & Community & Economic Development

Planning Division

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

December 16, 2024

Brian Munson
Vandewalle & Associates
120 E Lakeside Street
Madison, Wisconsin 53715

RE: Consideration of a conditional use in the TR-P (Traditional Residential-Planned) District for a residential building complex; and consideration of a conditional use in the TR-P District for outdoor recreation, all to allow construction of a residential building complex containing 228 apartments in six buildings with a clubhouse and outdoor pool on Lot 218 of the future *Midpoint Meadows* subdivision on land generally located at 2150 Marty Road. (LNDUSE-2024-00091; ID 85652)

Dear Brian,

On December 2, 2024, the Plan Commission found the standards met and **approved** your conditional use request for Lot 218 of the future *Midpoint Meadows* subdivision subject to the conditions that follow. Prior to issuance of building permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following twenty-one (21) items:

1. The applicant shall confirm the elevation and location of the sanitary sewer in Stones Throw Drive as designed for the Midpoint Meadows Phase 1 Plat, City project #15331, Contract #9538 with planned connections for the development.
2. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20 feet, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement.
3. This development is subject to impact fees for the Upper Badger Mill Creek Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued per MGO Chapter 20. Add the following note on the face of the plans: "Lots / buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."

4. 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 sign-off.
5. An Erosion Control Permit is required for this project.
6. A Storm Water Management Report and Storm Water Management Permit is required for this project.
7. A Storm Water Maintenance Agreement (SWMA) is required for this project.
8. 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 of the WDNR at (608) 273-5612 to discuss this requirement. 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 Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
9. Public improvements are required per the developer agreement for the Midpoint Meadows plat.
10. Show future sidewalk grades on Raymond Road and S High Point Road and how the site grades tie into them. Obtain profiles from the City Engineering Division.
11. Revise the site plan 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.
12. 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.
13. 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 floodproof 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 that they are comfortable with.
14. 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 MGO 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.

15. 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-inch 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.
16. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.
17. 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 Wisconsin Department of Natural Resources (WDNR), Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
18. 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 the City Engineering Division at 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
19. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
20. Prior to approval, this project shall comply with MGO Chapter 37 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 the City Engineering Division. The Storm Water Management Plan & Report shall include compliance with the following:
 - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - 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.
 - Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.
 - The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any best management practices (BMP) used to meet stormwater management requirements on this project.

21. 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 Julius Smith of the City Engineering–Mapping Section at (608) 264-9276 if you have any questions regarding the following seven (7) items:

22. Current site plan relies on public stormwater lands to be dedicated in forthcoming plat for TSS, infiltration and detention. Work with City Engineering on this proposed interdependent design and its acceptance. Additional plat notes and agreements may be needed for this use.
23. Coordinate and request from the utility companies serving this area the easements required to serve this development.
24. Confirm and coordinate with the utility companies serving this area that proposed stairs and retaining walls shown within the limits of the proposed 12-foot public utility easement per the pending plat will be allowed along Stones Throw Drive.
25. Show the proposed 12-foot public utility easement being set forth with the proposed subdivision around Lot 218 on the site plan.
26. Confirm and coordinate with the utility companies serving this area that proposed large plantings/trees shown within the limits of the proposed 12-foot public utility easement per the pending plat will be allowed as shown in the landscape plans.
27. The pending Plat application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
28. Submit a site plan and a complete set of building floorplans (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 floor 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 conditional use with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

Per MGO Section 34.505, 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 Addressing Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reappraised.

Please contact Luke Peters of the Traffic Engineering Division at (608) 266-6543 if you have questions about the following fourteen (14) items:

29. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
30. 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.
31. 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.
32. All parking facility design shall conform to the standards in MGO Section 10.08(6).
33. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
34. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
35. 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.
36. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO Section 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

37. All parking ramps as they approach the public right of way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the right of way. If the applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
38. "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.
39. 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.
40. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
41. 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.
42. The applicant shall submit for review a waste removal plan, which shall include vehicular turning movements.

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have questions about the following item:

43. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO Section 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have questions about the following three (3) items:

44. Show the height of the proposed buildings on the elevations. The maximum height is 52 feet. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than 15% higher than the maximum height of the zoning district.
45. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
46. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129 for any building over 10,000 square feet in size (floor area of above-grade stories). For building façades where

the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. All glass railings must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

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

47. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat per MGO Section 16.23.
48. All 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.

Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have questions about the following four (4) items:

49. The Mid Town Road, Raymond Road and S High Point Road corridors are either existing or potential transit corridors, and any construction/redesign of those rights of way should be completed using transit-supportive pavement strengths and accessibly-sloped terrace areas. City Engineering developer's agreements should confirm with Metro Transit any existing or planned curbside bus stops that need accessible passenger boarding area designs.
50. In coordination with any public works improvements, the applicant shall install and maintain a concrete boarding pad surface at the planned Metro bus stop on the south side of Raymond/Mid Town Road, east of S High Point Road.
51. The applicant shall install and maintain a new passenger seating amenity - either as part of the private landscape plan or in the public right of way area along the south side of Raymond/Mid Town Road, east of S High Point Road. If located in the public right of way, the applicant should be aware of the requirements set forth in MGO Section 10.31, as well as the timelines necessary to submit a Privilege in Streets (Bus Shelter, Stops and Seating) application and should contact the City's Office of Real Estate Services for information and assistance with the Privilege in Streets application process. An approved Encroachment Agreement, for the bus stop amenity, shall be executed prior to sign off - if located in the public right-of-way.
52. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have questions about the following item:

53. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Section 20.08(2)), and Park-Land Impact Fees, per MGO Sections 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#24020.1 when contacting Parks Division staff about this project.

Please contact Bradley Hofmann of the City Forestry Section at (608) 267-4908 if you have questions about the following item:

54. As defined by 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 Jessica Vaughn of the Urban Design Commission at (608) 267-8740 if you have questions about the following six (6) Urban Design Commission conditions, which were imposed by the Plan Commission as conditions of its approval:

55. The residential building complex shall return to the Urban Design Commission for **final approval** to resolve the details in the following conditions identified as part of the Commission's recommendation to approve the project on November 20, 2024. In the event that the Urban Design Commission cannot find that its concerns are satisfactorily addressed, or if the applicant wishes to appeal the Urban Design Commission's decision, an application shall be made to the Plan Commission for approval of a conditional use alteration so that the final design of the complex may be approved.

56. Consistent with the comments by members of the Urban Design Commission regarding the proposed massing and building composition and urban design aesthetic, the building design and massing shall be refined to better respond to the site grading and provide a better transition across the site, as well as locating mass in more appropriate locations.

57. The landscape plan shall be revised to increase the shade tree coverage in the parking areas.

58. The retaining wall around Building 6 shall be redesigned to be terraced to minimize the blank walls along the street and provide a more pedestrian scale, and incorporate landscape.

59. The site plan shall be revised to provide an enhanced pedestrian connection along Raymond Road between Buildings 3 and 4, similar to the enhanced pedestrian connection between Buildings 2 and 3.

60. The landscape plan shall be revised to: incorporate ornamental scale trees to anchor the building corners; within the central amenity space the planting plan should be reorganized to create drifts, groupings or massing of plants versus singular linear planting beds; to reflect hardwood mulch versus stone mulch.

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

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

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the **site plan review fee** shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.

2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void two (2) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 12 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Julius Smith, City Engineering Division
Luke Peters, Traffic Engineering Division
Trent W. Schultz, Parking Division
Jacob Moskowitz, Assistant Zoning Administrator
Jeff Belshaw, Madison Water Utility
Tom Sobota, Metro Transit
Kathleen Kane, Parks Division
Bradley Hofmann, City Forestry Section
Jessica Vaughn, Secretary, Urban Design Commission

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

LNDUSE-2024-00091			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit
<input checked="" type="checkbox"/>	Water Utility	<input checked="" type="checkbox"/>	Other: Parking Division