



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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January 23, 2015

Thomas W. Sather  
The T.W. Sather Company, Inc  
6527 Normandy Lane  
Madison, WI 53719

RE: **1910 Tennyson Lane:** Approval of a rezoning from the SR-C1 (Suburban Residential-Consistent 1) District to the SR-V2 (Suburban Residential-Varied 2) District and conditional use to allow the development of a 72-unit multi-family building complex.

Dear Mr. Sather:

At their January 12, 2015 meeting, the Plan Commission, meeting in regular session approved your request for a conditional use to allow the development of a two-building, 72-unit multi-family building complex on a portion of the subject site. At their January 20, 2015 meeting, the Common Council approved your zoning map amendment request rezoning a portion of 1910 Tennyson Lane from the SR-C1 (Suburban Residential-Consistent 1) District to the SR-V2 (Suburban Residential-Varied 2) District. These approvals were subject to the below conditions of approval that shall be satisfied prior to final approval and sign-off of the plans and the issuance of permits.

Please note, the approval letter containing the approval conditions for the concurrently approved Preliminary Plat of Tennyson Ridge has been provided to Gary Woolever, Vierbicher Associates, the contact for that application.

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following thirty (30) items:**

1. The private storm sewer that conveys storm water from this site south to connect to the future storm sewer along Tennyson Lane shall be moved west off of the right of way of the proposed street. A recorded private storm sewer easement over proposed Lot 2 for this storm sewer shall be provided prior to final sign off.
2. A Temporary Limited Easement to the City of Madison for the temporary turn around shall be provided at the end of the proposed street.
3. A proposed preliminary plat application has been made for the land division associated with this development. A final plat 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.

4. Submit naming suggestions for the proposed street to Lori Zenchenko ([Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com)). The proposed platted street name Tennyson Ridge Ln is not acceptable. The USPS considers Ridge and Lane to be suffixes and double suffixes are not allowed per USPS and City Ordinance. Moreover, Tennyson is already used as a base name for the adjacent street.
5. The base addresses of the two new buildings will be off of the proposed street. Addresses and interior addresses will be determined with the addressing plan.
6. The Applicant has shown the storm sewer draining the entrance to an underground parking ramp. A plan should be submitted to City Engineering demonstrating that this system will not flood during the 100-year event.
7. The Applicant shall work with the developer of CSM 13716 to modify the existing stormwater calculations that were provided for CSM 13716 as that system was designed based on a 4 lot CSM and didn't account for the proposed additional street and single family lots as proposed with this development approval and concurrent preliminary plat application.
8. The Developer shall enter into a Development Agreement for the construction of the public works improvements for the anticipated final plat including the new street and corresponding public infrastructure. This site plan shall not be signed off by Engineering until the agreement for the improvements is in place. The Developer for CSM 13716 has obtained approval for the Development Agreement for the construction of the public storm sewer and construction of Eliot Lane, as required by CSM. That agreement and approval may be modified to include the new street and related infrastructure improvements. If that occurs, the project will require re-approval by the Board of Public Works.
9. It is anticipated that the site plans will need to be modified to match the street grades for the proposed new street. Coordinate all site grading with City Engineering.
10. The Developer shall coordinate and/or acquire any necessary temporary grading easements from the property at 1936 Tennyson Lane as necessary for the public street improvements. This may be coordinated with the final plat approval and related Developer's Agreement.
11. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
12. 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.

13. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. 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.
14. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester. (MGO 16.23(9)(d)(6))
15. 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)
16. 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)
17. 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)
18. All damage to the pavement on Tennyson Lane, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
19. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
20. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
21. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of

Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

22. As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
23. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Reduce TSS off of the proposed development by 80% when compared with the existing site; b) Provide oil & grease control from the first 1/2" of runoff from parking areas; and c) 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.
25. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (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) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
26. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.
27. 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>.
28. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewerlateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
29. 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)
30. City of Madison Environmental Projects Staff have reviewed the subject site and determined that a Phase I ESA will be required of the applicant for the project site. The applicant shall provide one (1) digital and one (1) hard copy of an ASTM Phase I ESA prepared by an environmental professional. Staff review of this Phase I ESA will determine if a further investigative Phase II ESA is also required.

Please submit any relevant Phase I and Phase II ESAs to Brynn Bemis (608-267-1986, [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com)) for further review.(MGO 16.23(5)(g)(2))

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6572 if you have questions regarding the following five (5) items:**

31. 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.
32. 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.
33. 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.
34. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
35. The applicant shall execute and return the attached declaration of conditions and covenants for streetlights & traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

**Please contact Bill Sullivan of the Madison Fire Department at 266-4717 if you have questions regarding the following two items:**

36. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
37. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503.

**Please contact Patrick Anderson of Zoning at 266-5978 if you have questions regarding the following five (5) items:**

38. The proposed playground will require detailed review and approval by planning and zoning and Parks staff in regard to its design, installation, and long-term maintenance of recreational equipment.
39. Per Sec. 28.172(7)(b), a primary entrance to the buildings shall be oriented to the adjacent street. Both buildings have individual unit entrances oriented to the street. The plans must be revised to include a primary entrance to the buildings from the street.

40. Provide a minimum bicycle parking spaces for each building distributed as both Short Term and Long Term bicycle parking, as required per sec. 28.141(4) and 28.141(11). Provide a detail of the bike rack design including any wall mounts. NOTE: current code requires a maximum of 25% of the bicycle parking spaces may be structured bicycle parking (wall-mount or stacked). Call out and dimension required stalls as well as access aisle on the final plan. NOTE: A bicycle-parking stall is two feet by six feet with a five-foot access area. Provide details of bike rack.
41. Provide lot coverage calculation with final site plans. NOTE: lot coverage shall not exceed 60%.
42. Pursuant to Sec. 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.

**Please contact Kay Rutledge at 266-4717 if you have questions regarding the following two (2) items:**

43. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development in this subdivision. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Warner park impact fee district (SI21). Please reference ID# 13120 when contacting Parks about this project.
44. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a ROW site plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>

**Please contact Dennis Cawley, Madison Water Utility at 267-1150 if you have questions regarding the following item:**

45. The proposed public water main shall be installed by Standard City of Madison Subdivision Contract. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

**Please contact my office at 267-1150 if you have questions regarding the following fifteen (15) items:**

46. That the conditional use for a multi-family building complex shall be limited to the two-building, 72-unit complex as approved. Future alterations or expansions shall require approval of an alteration to this conditional use.
47. No HVAC "wall-pack" penetrations/louvers are shown. The addition of wall packs on outward-facing walls is not included in this approval and will require approval of a major alteration to this conditional should they be proposed at a later time.

48. That the finished grade elevations are labeled on the elevation drawings and that the elevation drawings show an accurate relationship to the proposed grade. This information shall be provided for staff approval.
49. That plans be revised to include primary entrances to each building, as required in 28.172(7)(b). Final Design shall be approved by the Planning Division.
50. That the landscape plan be revised to include the entire multi-family development site.
51. That the landscape and site plan be revised to provide a direct pedestrian connection from the multi-family site to Eliot Lane. The landscape plan shall further be revised to provide screening of the parking area from Eliot Lane.
52. That the front yard setbacks are reduced to approximately 15-25 feet, depending on site grades. Final details shall be approved by staff.
53. That all plans be revised to reduce the area of the multi-family property along its southern edge by approximately 20 feet, corresponding to the condition on the Preliminary Plat to increase the depth of the adjacent single-family lots.
54. That as allowed by the Zoning Code, Section 28.182(5)(a)4, the Plan Commission recommends that the proposed zoning map amendment take effect only for the area depicted as the multi-family complex. The size of the rezoning area shall be reduced and match that of the reconfigured lot. Further legal descriptions, to be approved by staff will be required.
55. That plans submitted for sign-off shall include a narrative and graphical summary of any changes that were not included in the Plans approved by the Plan Commission and Common Council. Should changes be made, staff will advise on the process upon reviewing the submitted plans and this information.
56. That the SR-V2 zoning shall expire and revert back to the SR-C1 district should a conditional use not be approved, lawfully commenced, and building permits issued within one year of the Common Council rezoning approval.
57. That a management plan be filed with the City that includes staffing details, contact information, and office hours for onsite-management.
58. That the Urban Design Commission grants final approval prior to final sign-off of the conditional use. The Plan Commission specifies that this conditional use approval includes the following design modifications:
  - a. Provide an additional private sidewalk connection on the north side of the driveway (parallel to the sidewalk on the south side)
  - b. Provide larger, more prominent front porches.
  - c. Continue to consider ways to reduce some pavement/parking to enhance open space.
  - d. The rain garden / bioswale shown in the previous plans has been replaced with a more standard stormwater pond. This feature shall be revised to include the rain garden/bioswale feature, subject to the approval of reviewing agencies.

59. To provide clear direction to the Urban Design Commission, the applicant shall meet with the Planning Division prior to making the application the UDC to discuss unresolved design issues, including those noted in this report.

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

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

**Please now follow the procedures listed below:**

1. Please revise your plans per the above conditions and submit eleven (10) copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/ or building permit approval.
3. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.
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. 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, after consultation with the Alderperson of the District, approve an extension for up to twenty-four (24) 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 recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Kay Rutledge, Parks Division  
Pat Anderson, Zoning  
Bill Sullivan, Fire

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<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 Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:

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

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*Signature of Applicant*

\_\_\_\_\_

*Signature of Property Owner (if not the applicant)*