



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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

July 9, 2021

Michael Oates
Eppstein Uhen Architects
333 E Chicago Street
Milwaukee, Wisconsin 53202

RE: Approval of a request to rezone 502 Genomic Drive from MXC (Mixed-Use Center District) to PD (Planned Development District); approval an amended Planned Development–General Development Plan and Specific Implementation Plan to construct a 60-bed skilled nursing facility building for Oakwood Village University Woods at 6145-6301 Mineral Point Road; and approval of a demolition permit to raze the existing skilled nursing facility following completion of the proposed facility (LNDUSE-2021-00037; ID 65661 and 65141).

Dear Michael;

On July 6, 2021, the Common Council **approved** your Amended PD zoning and demolition permit subject to the conditions in the following sections, which shall be satisfied prior to final approval and recording of the Amended General Development Plan and Specific Implementation Plan and the issuance of any City permits needed for the skilled nursing facility project.

Please contact Tim Troester of the City Engineering Division at 267-1995 if you have any questions regarding the following nineteen (19) items:

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
2. Construct Genomic Drive and sidewalk extension and remove temporary turnaround as required by the City Engineer.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.

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 at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Wisconsin Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
9. Provide an ownership/maintenance agreement and private sanitary sewer easement (recorded) for the private sewer main being connected to prior to plan approval. Sewer appears to cross Lots 2 and 3.
10. Revise the site plans to show the location, depth, type, and size of existing and proposed private utilities (gas, electric, phone, steam, chilled water, etc.) in the project area or the adjacent right of way.
11. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
12. This project will disturb 20,000 square feet or more of land area and requires 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.
13. 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.
14. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.

15. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
16. 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 Madison General Ordinances.
17. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
18. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).
19. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and 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. (POLICY and MGO 37.09(2))
 - Detain the 2-, 10-, 100-, and 200-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37. For the redevelopment portion of the site reduce peak discharge rate by 15% compared to existing conditions in the 10-year event.
 - Provide infiltration of 90% of the pre-development infiltration volume for the new development portion of the site.
 - Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
 - Reduce TSS by 80% off of the proposed development when compared with the existing site.
 - Treat the first half-inch of runoff over the proposed parking facility and/or drive up window.
 - For the redevelopment portion of the site provide volumetric control limiting the post construction volumetric discharge to 5% less than the predevelopment discharge volume as calculated using the 10-year storm event.

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

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following eight (8) items:

20. It is anticipated that the public improvements as part of the Genomic Drive extension that are required to serve this proposed development and land division requires additional right of way and easements located on adjacent CUNA lands to the east of this site. The developer shall coordinate the right of way and easements as required by the City at the developer's expense. In the event that the developer is unable to acquire the right of way and/or easements required, the City shall proceed to acquire the easements. The developer shall reimburse the City for all costs associated with the acquisition, including attorney's fees and any and all costs associated with court ordered awards. The developer shall provide a deposit at the time of contract execution to cover the estimated City staff expenses and easement cost for the acquisition. The developer shall note that separate, additional surety in an amount estimated to cover any potential court ordered awards shall be retained by the City until such time as appeal rights have expired. The additional surety shall be provided prior to the City making an offer for the easement.
21. The applicant shall coordinate the acquisition and dedication a 66 foot wide strip of right of way 100-foot long along the southeastern lot line (extension of Genomic Drive) and any Temporary Limited Easement area required for construction purposes. Coordinate with Jeff Quamme regarding the City of Madison Real Estate project for the drafting, administration and recording of the conveyance to the City of Madison.
22. The applicant shall coordinate with the adjacent CUNA lands in order to provide a temporary limited easement to the City of Madison for a temporary cul-de-sac adjacent to the extension of Genomic Drive having a radius of 60 feet and a reverse curve radius of 50 feet. Coordinate with Jeff Quamme regarding the City of Madison Real Estate project for the drafting, administration and recording of the easement document.
23. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities (private storm sewer, sanitary sewer and water main), common areas, storm management, fire lanes that are necessary to accomplish the land division, site development and accommodate the current uses throughout the entire campus prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the required land division recording and prior to building permit issuance.
24. The proposed new building crosses an underlying platted lot line. Prepare the required land division to dissolve underlying lot lines to comply with fire codes, City ordinances and City policies and submit to the Planning Division. The land division shall be approved by the City, recorded with the Dane County Register of Deeds and new tax parcel information available prior to issuance of a building permit or early start permit.

25. Provide for review reciprocal easements/ agreement for the tunnel between the proposed building and the building to the north. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
26. The new building address is yet to be determined. The address will be assigned when the internal 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.
27. Submit a floorplan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan for each floor on a separate sheet for the development of a complete building and interior addressing plan. 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 submittal of the final Site Plan Approval application with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Addressing Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following ten (10) items:

28. 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.
29. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.
30. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.
31. 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.
32. 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.

33. All parking facility design shall conform to the standards in MGO Section 10.08(6).
34. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
35. 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.
36. Per MGO Section 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.
37. 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.

Please contact Jeff Belshaw, Madison Water Utility, at 261-9835 if you have any questions regarding the following three (3) items:

38. Water mains to be connected to the publicly owned distribution system at more than one point may be privately owned and maintained provided that a check valve is installed on the water main at each point of connection to the distribution system to prevent water from flowing back into the distribution system. Each check valve shall be located in a manhole or vault and shall be immediately preceded and followed by a buried or exposed shut-off valve on the main. The water supplier shall have access to the manholes and valves for inspection purposes. (per NR 811.68(3)). The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.
39. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two (2) working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.
40. A Modify Mains/Services Application Form and deposit must be submitted before modifying the public water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water applications. The property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following eight (8) items:

41. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one year from the date of the Plan Commission.
42. 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.
43. Submit details showing that the relocated generator will be screened from neighboring properties located to the south and west. The generator shall be located and screened to reduce its visual impact when viewed from neighboring properties and to be compatible with neighboring structures and the character of the community. Screening materials, landscaping, or fencing shall be similar in appearance to those used for the principal structure on the zoning lot.
44. Submit floor plans and building elevations for the Chapel building which will remain following the demolition of the Hebron Oaks building.
45. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. At least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify the glass areas that will be treated, and provide a detail of the specific treatment that will be used.
46. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
47. 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.
48. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following four (4) items:

49. Cross access easements shall include use by emergency services.

- 50. Two remote access points are required for this site based on the size, number and occupancy types of the buildings. Access points shall be no less than one half the length of the diagonal of the overall site.
- 51. Fire lanes shall be a minimum of 20 feet wide with an inside turn radii of 28 feet. Aerial access lanes shall be a minimum of 26 feet wide.
- 52. Emergency and evacuation plans and fire protection systems shall be coordinated and approved by the Madison Fire Department.

Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following three (3) items:

- 53. As identified on the plans submitted for review, the applicant shall install and maintain a concrete shelter pad surface - as shown in the public right of way at the planned Metro bus stop zone that is on the south side of Mineral Point Road, east of Island Drive.
- 54. As identified on the plans submitted for review, the applicant shall install and maintain a new passenger waiting shelter with seating amenity as shown in this public right-of-way area. The applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact the Office of Real Estate Services to start the Privilege in Streets (Bus Shelter) application process (per MGO Section 10.31).
- 55. The concrete shelter pad shall be at least 10.5 feet wider than the proposed shelter footprint dimension. The bus shelter shall be oriented to the western edge of the concrete shelter pad (typically at least six inches from grass terrace edge), leaving at least 10 feet of clear width for passenger access on the eastern side of the concrete shelter pad. The bus shelter shall be installed with at least two (2) feet clearance off of the face of curb, and not obstruct the width of the adjacent public sidewalk (at least six inches clearance from sidewalk edge is preferred). The shelter opening, for passenger access, shall face the public sidewalk. 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 my office at 261-9632 if you have questions about the following seven (7) items:

- 56. Work with Planning and Zoning staff prior to final approval and recording of the expanded Planned Development zoning district for Oakwood Village University Woods to create a contemporary zoning text for the expanded zoning district/campus.

Please contact Kevin Firchow of the Urban Design Commission at 267-1150 if you have any questions about that commission's approval of the project on June 9, 2021:

- 57. That the landscaping plan be revised to increase the balance of new trees more towards the native Oaks.

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 Zoning@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. Upon receipt of the final aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.
4. This Planned Development approval shall expire five (5) years after the date of the Common Council approval of the Specific Implementation Plan. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.
5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may approve minor alterations that are approved by the Director of Planning and Community and Economic Development following consideration by the alderperson of the district, and which are compatible with the concept approved by the Common Council.

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

Sincerely,



Timothy M. Parks
Planner

cc: Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Asst. Zoning Administrator
Kevin Firchow, Urban Design Commission
Jeff Belshaw, Madison Water Utility
Bill Sullivan, Madison Fire Department
Tim Sobota, Metro Transit

LNDUSE-2021-00037			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (T. Parks)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☐	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coord. (R&R)
☒	Fire Department	☒	Other: Metro Transit
☒	Water Utility	☐	Other: