



PREPARED FOR THE PLAN COMMISSION

Project Address: 9703 Paragon Street, 303 Bear Claw Way and 304 Bear Claw Way
Application Type: Final Plat Re-Approval and Conditional Use—Residential Building Complex
Legistar File ID # [63099](#) and [62317](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Ryan McMurtrie, United Financial Group/ Paragon Place at Bear Claw, LLC; 660 W. Ridgeview Drive; Appleton.

Contact Person: Kevin Burow; Knothe & Bruce Architects; 7601 University Avenue, Suite 201; Middleton.

Surveyor: Grady Gosser, Trio Engineering; 12660 W. North Avenue, Building D; Brookfield.

Requested Actions:

ID 63099 – Re-approving the final plat of *Paragon Place Addition No.1*, creating eight lots for the future multi-family development on land generally addressed as 9703 Paragon Street, 303 Bear Claw Way and 304 Bear Claw Way; and

ID 62317 – Consideration of a conditional use for a multi-family dwelling with more than eight units in SR-V2 (Suburban Residential–Varied 2 District) zoning; consideration of a conditional use for a residential building complex in SR-V2 zoning, and consideration of a conditional use in SR-V2 zoning for accessory outdoor recreation to construct a residential building complex with 71 apartments in two buildings and a pool on future Lot 7 of the Paragon Place Addition No. 1 subdivision and 12 apartments in three buildings on future Lot 8.

Proposal Summary: The applicant is requesting approval to construct two (2) two-story apartment buildings with 71 total units and an outdoor pool on Lot 7 of the Paragon Place Addition No. 1 plat. Construction of the Lot 7 apartments will commence in spring 2021, with completion anticipated in summer 2022. On Lot 8, the applicant wishes to construct three (3) four-unit townhouse buildings. Construction of the townhouses will commence in spring 2022, with completion anticipated in fall 2022.

Applicable Regulations & Standards: Table 28C-1 in Section 28.032(1) of the Zoning Code identifies single-family attached dwellings with three or four units as a permitted use in SR-V2 (Suburban Residential–Varied 2 District) zoning. Table 28C-1 in Section 28.032(1) identifies multi-family dwellings with eight (8) or more units, residential building complexes, and outdoor recreation as conditional uses in SR-V2 zoning subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Review by the Urban Design Commission of the residential building complex is required per Section 33.24(4)(c) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission and Plan Commission for residential building complex; Plan Commission and Common Council for final plat

Summary Recommendation: The Planning Division recommends that the Plan Commission forward the final plat of the *Paragon Place Addition No. 1* subdivision to the Common Council with recommendations of **approval**

subject to the June 2019 conditions of approval and find the standards met and **approve** a conditional use–residential building complex at 9703 Paragon Street for Lots 7 and 8 of the final plat subject to the Urban Design Commission approval of the residential building complex, input at the public hearing, and the conditions from reviewing agencies beginning on page 7 of this report.

Background Information

Parcel Location: The final plat encompasses a 19.75-acre parcel generally located on the south side of Elderberry Road on both sides of Bear Claw Way; Aldermanic District 9 (Skidmore); Middleton-Cross Plains Area School District. In addition to the parcel addressed as 9703 Paragon Street, the overall site is comprised of 303 and 304 Bear Claw Way. Lots 7 and 8 comprise approximately 4.94 acres of the proposed final plat and are bounded by Paragon Street on the north, Chaska Drive on the east, Wilrich Street and the south plat limits on the south, and by the west plat limits on the west.

Existing Conditions and Land Use: Undeveloped land, zoned SR-V2 (Suburban Residential–Varied 2 District).

Land Use and Zoning Surrounding the Final Plat:

North: Undeveloped land across Elderberry Road in the Town of Middleton; single-family residences in the Autumn Ridge Reserve and Sauk Heights subdivisions, zoned TR-C1 (Traditional Residential–Consistent 1 District) and SR-C2 (Suburban Residential–Consistent 2 District), respectively;

South: Blackhawk Church and undeveloped lots south of Wilrich Street in the Blackhawk Church Town Center development, zoned PD;

East: Single-family residences in the Woodstone subdivision, zoned TR-C3 (Traditional Residential–Consistent 3 District);

West: Undeveloped land, zoned A (Agricultural District).

Adopted Land Use Plans: The 2018 [Elderberry Neighborhood Development Plan](#) recommends that most of the subject site and overall Paragon Place development be developed in Residential Housing Mix 2 (HM2), which is generally recommended for development between 8-20 units per acre. More information on the housing types and design recommendations for the HM2 district are included in the ‘Analysis’ section of this report. The western edge of the subject site includes a small area of Residential Housing Mix 1.

The subject site and larger subdivision are recommended for Low-Medium Residential in the 2018 [Comprehensive Plan](#), with a density range between 7-30 units per acre generally recommended.

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

Public Utilities and Services: The site will be served by a full range of urban services as it develops with the exception of Metro Transit, which currently does not provide service west of Pleasant View Road. The proposed development is outside Metro Transit's paratransit service area. The closest bus stop with scheduled bus service is over 1.5 miles walking distance, and the parcels would be greater than the three-quarter-mile regulatory distance from all day scheduled service for passengers who might be eligible for door-to-door paratransit service.

Zoning Summary: The following bulk requirements apply in SR-V2 (Suburban Residential–Varied 2 District):

Requirements for:	Required	Proposed – Lot 7	Proposed – Lot 8
Lot Area (sq. ft.)	2,000 sq. ft. per unit	143,674 sq. ft.	71,214 sq. ft.
Lot Width	60'	457'	128'
Front yard setback	25'	28.0' (Paragon Street)	25.17' (See conditions)
Side yard setback	Multi-family buildings: 10' Townhouse ends: 6'	26.5' north side yard 33.5' south side yard	10' (Lakota Way)
Rear yard	Lesser of 25% of lot depth or 30'	33.2' (Wilrich Street)	(See conditions)
Usable open space	Multi-family buildings: 500 sq. ft. per unit Single-family attached: 100 sq. ft. per unit	(See conditions)	Adequate (See conditions)
Maximum lot coverage	Multi-family buildings: 60% Single-family att.: 90%	55%	34%
Maximum Building Height	Multi-family buildings: 4 stories/ 52' Single-family attached: 3 stories/ 40'	2 stories/ 41'	2 stories/ 44' (See conditions)
Automobile parking:	1 per unit	44 surface stalls, 119 garage stalls (163 total)	8 surface stalls, 24 garage stalls (32 total stalls)
Loading	N/A	None	None
Bicycle parking	1 per unit up to 2- bedrooms, half space per add. bedroom 1 guest space per 10 units	8 surface stalls, 71 garage stalls (79 total stalls)	4 surface stalls, 16 garage stalls (20 total stalls)
Building Form		Large Multi-Family Building	Single-family attached bldg., townhouse/rowhouse
Other Critical Zoning Items			
Yes:	Urban Design (Residential Building Complex), Barrier Free, Utility Easements		
No:	Floodplain, Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Parkland		
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>			

Previous Approvals

On May 21, 2013, the Common Council approved an amended request to rezone 33.2 acres of property located at 9601 Elderberry Road from A (Agricultural District) to TR-U1 (Traditional Residential–Urban 1 District), SR-V2 (Suburban Residential–Varied 2 District) and TR-V2 (Traditional Residential–Varied 2 District), and approved the preliminary plat of *Highlands Community* with six lots for future residential development, one lot for unspecified future development, and two outlots to be dedicated for stormwater management. Approximately 6.8 acres of the former 40-acre property was left in A zoning pending a more definitive plan for the development of that

portion of the site. A conceptual plan submitted with the 2013 zoning request called for future development of the proposed lots with up to 390 dwelling units.

On March 18, 2014, the Common Council approved a revised preliminary plat proposing seven lots for future residential development with up to 390 dwelling units, one outlot for future development, and one outlot for public stormwater management, and approved a final plat creating two lots for residential development and the outlot for public stormwater management. The final plat of *Paragon Place* was recorded on September 8, 2014.

On June 11, 2019, the Common Council approved a request to rezone 9703 Paragon Street from A (Agricultural District) to SR-V2 (Suburban Residential–Varied 2 District) and approved the preliminary plat and final plat of *Paragon Place Addition No. 1*, creating eight lots for future multi-family development.

Project Description and Analysis – Final Plat Re-Approval

On June 11, 2019, the Common Council conditionally approved a request by the applicant for approval of the preliminary plat and final plat of the *Paragon Place Addition No.1* subdivision to create eight lots for future multi-family development. The June 13, 2019 approval letter and final plat are attached to file ID 63099.

Wis. Stats. Section 236.25(2)(b) provides twelve (12) months to record a final plat following its last approval. The final plat was not recorded before June 11, 2020, so the previous final plat approval is expired. No changes to the subdivision are proposed. The Planning Division believes that the plat continues to reflect the development pattern recommended for the subject site by the Elderberry Neighborhood Development Plan and recommends that it be re-approved subject to the conditions of the 2019 approval. The project team anticipates recording the final plat following this re-approval so that the development of Lots 7 and 8 of the plat may proceed as outlined elsewhere in this report.

Project Description – Residential Building Complex

The applicant is requesting approval of a conditional use–residential building complex to be developed on Lots 7 and 8 of the Paragon Place Addition No. 1 plat discussed above. Both future lots are zoned SR-V2.

Lot 7 of the plat will be a 3.3-acre block formed by Paragon Street, Chaska Drive, Wilrich Street and Lakota Way, which the applicant proposes to develop with two U-shaped apartment buildings at the northern and southern ends of the block. Both buildings will be two stories tall and include lofted second floor units. The northern building (“Building 5”) will contain 35 dwelling units and a first floor community room, while the southern building (“Building 6”) will have 36 units. A pool and deck will be located along the Chaska Drive side of the block between the two buildings. A landscaped seating area is proposed in the courtyard of Building 5, while a “yard games” area is proposed in the courtyard of Building 6. The 71 overall units on Lot 7 will be comprised of 19 one-bedroom units and 52 two-bedroom units. Parking will be located below the footprints of both buildings, with 59 automobile stalls and 35 bike stalls below Building 5, and 60 automobile stalls and 36 bike stalls below Building 6. Additionally, 44 automobile stalls and 8 bike stalls are proposed on the surface of Lot 7. All access to the automobile parking will be provided from Lakota Way.

Lot 8 of the plat will be a 1.64-acre parcel bounded by Paragon Street, Lakota Way, Wilrich Street, and the west plat limits. The applicant is proposing to develop the northern approximately two-thirds of the block with three (3) two-story, four-unit townhouse buildings (“Buildings 7, 8 and 9”) on Lot 8. The remainder of Lot 8 will be developed with stormwater management for this portion of the overall Paragon Place development. The 12 units will consist of eight two-bedroom units and four three-bedroom units. All of the units will have two-car rear-loaded garages accessed from an interior parking court accessed from Lakota Way, which will also have surface parking for 8 automobiles. Front doors will be provided for the units in Buildings 8 and 9 facing Lakota Way and Paragon Street, respectively.

Supplemental Regulations

Residential building complexes, which are defined as “a group of two or more residential buildings on a single parcel or tract of land, developed under single ownership and common management” are conditional uses in the SR-V2 zoning district and are subject to the following supplemental regulations in Section 28.151 of the Zoning Code (as applicable):

- (a) Recreational areas may be required to serve the needs of the anticipated population.
- (b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
- (c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.
- (d) 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.
- (g) Shall be reviewed by the Urban Design Commission pursuant to Sec. 33.24(4)(c), MGO.
- (h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- (i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.

Outdoor recreation is defined as “a facility for outdoor conduct, viewing, or participation in recreational activities, which may include one or more structures...” including but not limited to swimming pools and similar such uses, which are subject to the following supplemental regulations in Section 28.151:

- (a) A minimum 25-foot setback area maintained as open space shall be provided along the perimeter of the site wherever it abuts a residential district.
- (b) If the use will be available to the general public, an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate shall serve the site. Ease of access to the site by automobiles, transit, bicycles, and pedestrians shall be considered as a factor in the review of any application.
- (c) The site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.

- (d) 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.

Conditional Use Analysis and Conclusion

The Planning Division believes that the Plan Commission can find the standards for approval met for the proposed residential building complex and accessory outdoor recreation.

The density of the 83-unit complex will be 19.3 units per acre based on an estimated 4.3 acres of net developable area, excluding the right of way of Lakota Way and the southern portion of Lot 8, which will be devoted to stormwater management. The proposed density is within the density range allowed in the existing SR-V2 zoning of up to 21.7 units per acre for multi-family dwellings.

The proposed density is also within the 8-20 unit per acre density recommended by the 2018 Elderberry Neighborhood Development Plan, which identifies the subject site and most of the larger Paragon Place subdivision in Residential Housing Mix 2 (HM2). HM2 is recommended as a predominately higher-density single-family designation, although other housing types compatible with single-family homes, including duplexes, four-units, townhouses, and small-scale apartment buildings (4-8 units) are also recommended. Buildings should include front, side, and rear yards, with a maximum recommended height of three stories. Dwelling unit types in the HM2 zone should be varied, and large areas of one housing unit type should be avoided.

The proposed development of Lot 8 with townhouses/single-family attached dwellings reflects the density, bulk, and building characteristics recommended in HM2. Staff also believes that the proposed development of Lot 7 with 35- and 36-unit apartment buildings can be found to be consistent with the HM2 zone despite large multi-family buildings generally not being recommended in that designation. While the proposed buildings will have more units than recommended, staff feels that the applicant has done a good job of breaking down the mass of the buildings by fronting them onto all of the surrounding streets to some degree and including direct entrances to first floor units where the grades of the site will allow. In addition to the street orientation of the buildings, staff feels that the two-story height of Buildings 5 and 6 reflects the intensity of development that would typically be anticipated in the HM2 district, which while allowing up to three stories, is likelier to be developed with discreet two-story buildings. The proposed development of Lot 7 with two-story apartments should also serve as a good transition between the lower-density housing planned north of the site on Lot 5, 6, and 9 of the Paragon Place plat and the denser three-story multi-family housing located east of the site and the higher-density Housing Mix 3 development planned south of Wilrich Street in the Blackhawk Church Town Center development.

The Urban Design Commission reviewed the proposed residential building complex at its November 4, 2020 meeting and recommended **final approval**.

Recommendations

Planning Division Recommendations (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward the final plat of the *Paragon Place Addition No. 1* subdivision to the Common Council with recommendations of **approval** subject to the conditions of the June 11, 2019 approval of the plat.

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use–residential building complex at 9703 Paragon Street for Lots 7 and 8 of the final plat subject to the Urban Design Commission approval of the residential building complex, subject to the Urban Design Commission approval of the residential building complex, input at the public hearing, and the conditions that follow.

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

Urban Design Commission

The Urban Design Commission recommended **final approval** of the project without conditions at its November 4, 2020 meeting.

City Engineering Division (Contact Tim Troester, 267-1995)

1. The applicant shall revise plans to match up with utility plans created by the City with the developer agreement for this site.
2. The pond and infiltration basin and all stormwater quality practices shall be private. Street water shall be routed around the private drainage system. The private pipe under the road shall require a privilege in streets agreement and an inter-lot drainage agreement shall be required for the two lots to share the stormwater management system.
3. The discharge from the pool needs to be understood. If discharging to sanitary there are likely maximum discharge rates. If discharging to storm sewer a health permit for non-storm discharge is required.
4. 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 City Engineering to schedule the development and approval of the plans and the agreement.
5. Construct Madison standard street and sidewalk improvements for all streets: Paragon Street from west plat limit to Chaska Drive (full street); Wilrich Street from west plat limit to Chaska Drive (26 feet of pavement, curb on the north side, ditch on the south side, sidewalk is 8 feet wide); and Lakota Way from Paragon Street to Wilrich Street (full street).
6. This development is subject to impact fees for the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following

note shall put 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."

7. 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.
8. An Erosion Control Permit is required for this project.
9. A Storm Water Management Report and Storm Water Management Permit is required for this project.
10. A Storm Water Maintenance Agreement (SWMA) is required for this project.
11. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
12. Submit a soil boring report that has been prepared by a Professional Engineer two weeks prior to recording the final plat to the City Engineering Division indicating the ground water table and rock conditions in the area. If the report indicates a ground water table or rock condition less than 9 feet below proposed street grades, a restriction shall be added to the final plat, as determined necessary by the City Engineer.
13. 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.
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 PE 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 PE or licensed Plumber that show this requirement has been met.
15. 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.

16. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
17. Demonstrate compliance with MGO Section 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.
18. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health Madison-Dane County, and/or City Engineering Division approvals may be required prior to the issuance of the required Erosion Control Permit.
19. 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.
20. 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.
21. 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 & Report shall include compliance with the following:
 - Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (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.
 - Provide infiltration of 90% of the pre-development infiltration volume.
 - Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
 - Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.
 - Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

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.

22. 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.
23. 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).

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

24. The mixing of public and private storm water as proposed within Lakota Way is not permitted by the City Engineer. The configuration of the current private stormwater management plan with treatment ponds only on proposed Lot 8 will require a private storm sewer connection under Lakota Way between proposed Lot 7 and Lot 8. For all underground encroachments within a public right of way a Privilege in Streets agreement is required with an annual fee. If the configuration is approved and a connection is necessary, provide a signed and sealed map exhibit and legal description by a Professional Land Surveyor compliant with Chapter A-E 7 of the Wisconsin Administrative Code showing the improvements, a legally described boundary that encompasses the required pipe(s) with pipe inverts within the encroachment area. Dimensions shall be tied to the adjacent lot corners and referenced to the Dane County Coordinate System and NAVD 88(91). Provide an electronic copy of the survey (pdf) and legal description (MS Word) to the Land Records Coordinator, (Jeff Quamme–jrquamme@cityofmadison.com) for review, comment and coordination. The encroachment agreement shall require Applicant/Owner to be a member of Diggers Hotline throughout the term of this agreement and shall adequately mark the location of underground features upon a Digger's Hotline notification.

25. The two lots included as part of this development are dependent on each other for subsurface storm water drainage and stormwater treatment. A private Storm Sewer/Drainage Easement/Agreement for all parcels included as part of this development shall be drafted, executed and recorded prior to building permit issuance.
26. The pending final plat application for Paragon Place Addition No. 1 shall be completed and recorded with the Dane County Register of Deed, 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 and/or an early start permit.
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.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

28. Covered parking is not dimensioned and as such not reviewable at this time. The applicant should be aware this may lead to major site changes once the dimensions are provided.

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. The applicant shall provide a clearly defined 5' 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.
38. 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 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.
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. "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.
41. The applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
42. Items in the right of way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the right of way that states: "The right of way is the sole jurisdiction of the City of Madison and is subject to change at any time per the recommendation/plan of Traffic Engineering and City Engineering Divisions."

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

43. Update the useable open space calculation and exhibit for Lot 7 to exclude the 10 foot north and south street side yard setback areas. Update the useable open space calculation and exhibit for Lot 8 to exclude the 6 foot east street side yard setback area. Useable open space is defined as that portion of a zoning lot, outside of a required front or corner side yard, as extended to the rear lot line, that is available to all occupants for outdoor use. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet, and pervious pavement may be included in usable open space. Usable open space may include balconies and roof decks where specified in this ordinance.
44. Reduce the height of the townhouse buildings 7, 8, and 9 on Lot 8 to a maximum of 40 feet. The maximum height of a single-family attached building is three stories and 40 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. Show the building setback distances for buildings 7, 8, and 9 on Lot 8 on the site plan. Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
46. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans for Lot 8 shall show the required van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls.
47. 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.
48. Submit detailed floor plans for each of the buildings.
49. Show the garage area wells on the plans for multi-family buildings 5 and 6 on Lot 7.
50. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

The agency reviewed this request and has recommended no conditions of approval.

Water Utility (Contact Jeff Belshaw, 261-9835)

51. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat/CSM per MGO 16.23(9)(d)(3).
52. 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.
53. A Water Service Application Form and fees must be submitted (for each lateral) before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact

Madison Water Utility at 266-4646. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide conditions of approval for this request.

Parks Division (Contact Sarah Lerner, 261-4281)

54. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West-Infrastructure Impact Fee district. Please reference ID# 13117.2 when contacting Parks Division staff about this project.

City Forestry Section (Wayne Buckley, 266-4892)

55. 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.