

PLANNING DIVISION STAFF REPORT

July 8, 2019



PREPARED FOR THE PLAN COMMISSION

Project Address: 7043 Tree Lane (District 9 – Ald. Skidmore)
Application Type: Zoning Map Amendment & Conditional Use
Legistar File ID #: [56287](#) & [55915](#)
Prepared By: Sydney Prusak, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Amy Schoenemann; Capri Senior Communities; 20875 Crossroads Circle, Suite 400; Waukesha, WI 53186
Contact: Eric Harrmann; AG Architecture; 1414 Underwood Avenue, Suite 301, Wauwatosa, WI 53213
Property Owner: Livesey Company/West Place Five LLC; 2248 Deming Way, Suite 200; Middleton, WI 53562

Requested Action: Approval of a Zoning Map Amendment to rezone the property from Suburban Employment (SE) District Zoning to Commercial Corridor - Transitional (CC-T) District Zoning, and the following conditional uses: 1) An assisted living facility, congregate care facility, skilled nursing facility in the CC-T Zoning District 2) A building exceeding 25,000 square-feet of floor area for an individual establishment; and 3) A new commercial building in a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor is designated or intended for retail use or for hotel or motel use, all to allow the construction of a multi-family building containing 147 independent apartments and 28 memory care or assisted living units.

Proposal Summary: The applicant proposes to construct a five-story, 272,075-gross-square-foot senior living development with 147 independent living units and 28 assisted living units. The building will contain a restaurant, café, and wellness center to serve residents and visitors. There will be off-street parking for guests, as well as 134 underground vehicle stalls for residents and some employees. The development will be part of an existing planned-multi use site that currently has a variety of commercial and office uses within seven different buildings. As part of this redevelopment, the applicant proposes to construct a new driveway to access the site, building half of it to City standards for new public streets and the remainder to be completed when the eastern half of the site redevelops. Project construction is anticipated to begin in the fall of 2019, with projected completion in 2020.

Applicable Regulations & Standards: This proposal is subject to the standards for Zoning Map Amendments [MGO §28.182(6)] and Conditional Uses [MGO §28.183(6)].

Review Required By: Urban Design Commission (UDC), Plan Commission (PC), and Common Council (CC)

Summary Recommendations: The Planning Division recommends that the Plan Commission find that the approval standards for zoning map amendments are met, and forward the rezoning request 28.022 -- 00389 to the Common Council with a recommendation to **approve**. Furthermore, the Planning Division recommends that the Plan Commission find that the approval standards for conditional uses are met, and **approve** the conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 128,640-square foot (2.95-acre) subject site is located on the south side of Tree Lane near the intersection with S. Gammon Road. It is located in Aldermanic District 9 (Ald. Skidmore) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The vacant subject site part of a planned multi-use site, which contains a variety of commercial and office buildings with surface parking. In conjunction with this land use application, a Certified Survey Map (CSM) was submitted to the City in order to parcel off the subject property as one of four developable lots. To the south of these proposed lots is the newly developed “West Place” with the Navitus and Lumicera Health Solutions Campus. The subject site is currently zoned Suburban Employment (SE).

Surrounding Land Uses and Zoning:

- North: A residential building complex, zoned Suburban Residential – Varied 2 (SR-V2);
- East: Within the planned multi-use site is a two-story multi-tenant commercial building, zoned Suburban Employment (SE), with Thomas Jefferson Middle School and James Madison Memorial High School, zoned Campus Institutional (CI) beyond;
- South: West Place, which contains a two-story and a five-story office building, and complementary retail and food and beverage uses, zoned SE, with West Towne Mall, zoned Commercial Center (CC) beyond; and
- West: Tamarack Trails Condominiums, zoned Planned Development (PD).

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Community Mixed-Use for the subject site, which is classified as two to six stories and up to 130 dwelling units per acre (du/ac). Furthermore, the CMU category includes existing and planned area supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. There is no adopted neighborhood plan for the subject site.

Zoning Summary: The subject property currently zoned Suburban Employment (SE), but as proposed the site will be rezoned to Commercial Corridor – Transitional (CC-T).

Requirements	Required	Proposed
Front Yard Setback	65’ maximum	20.1’
Side Yard Setback: for multi-family use	10’	15.4’ west Adequate east for Zoning Lot
Rear Yard Setback	Lesser of 20% lot depth or 20’	Adequate
Usable Open Space	Assisted living, congregate care, skilled nursing facility: 150 sq. ft. per resident (26,850 sq. ft.)	Adequate
Maximum Lot Coverage	85%	Less than 85%
Maximum Building Height	5 stories/68’	5 stories/less than 68’

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	21 on-site surface stalls 18 parallel parking stalls 134 underground stalls (173 total stalls)
Accessible Stalls	Yes	3 surface (44)

Loading	Not required	None
Number Bike Parking Stalls	Assisted living, congregate care, skilled nursing facility: 1 per 4 units + 1 per 5 employees (54)	6 surface stalls 42 underground stalls (48 total stalls) (45)(46)
Landscaping and Screening	Yes	Yes (47)(48)(50)
Lighting	Yes	Yes
Building Forms	Yes	Civic or Institutional Building (42)(49)(50)

Other Critical Zoning Items	Urban Design (Planned Multi-Use Site), Utility Easements, Barrier Free (ILHR 69)
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including Metro Transit Route 14 daily service.

Project Description

The applicant, Capri Senior Communities, proposes to construct a five-story, 272,075-gross-square-foot senior living development with 147 independent living units and 28 assisted living units. Due to the sensitivity for the memory care aspect of this proposal, the 32 assisted living units will be contained to the northern portion of the first floor. Proposed independent dwelling units include one-bedroom units and two-bedroom units. The memory care portion of the building will have 28 studio units. The memory care area will have its own private courtyard, as well as activity rooms, a salon, and special dining area. It will also include office and conference room space for staff. The main first floor area will have a variety of amenities for the independent living residents, including dining areas, a salon and wellness lounge, fitness studio, and general common space. According to the letter of intent and management plan, Capri offers some supportive services and quality of life programs to independent living residents. Additionally, Capri will have a 10 to 12 person passenger van to provide transportation to residents for local activities, grocery shopping, appointments, and other events as requested by applicants.

Given the provided services, including but not limited to the shared dining and minimal healthcare and wellness initiatives available, this proposal is not a purely residential building. Moreover, it is technically not a mixed-use building either because both the developer and Planning Division do not anticipate the public coming to use the services, such as the restaurant and/or gym unless they are visiting family and friends. Therefore, the Zoning Administrator classified the entire proposal as an Assisted Living Facility, Congregate Care Facility, Skilled Nursing Facility per MGO §28.211. The definitions for each type of facility are as follows:

- **Assisted Living Facility:** Housing primarily for the elderly in which assistance with daily activities, dining services, and limited health care are provided.
- **Congregate Care Facility:** A facility with private living quarters, centralized dining, some communal space and transportation, social and some personal-care services.
- **Skilled Nursing Facility:** A facility for the chronically ill that provides long-term nursing care, rehabilitation, and other services.

As proposed, there will be 134 underground vehicle parking stalls and 23 surface stalls. The applicant indicated to staff that the underground parking will be reserved for independent living residents, executive staff members,

and third shift care team members. Furthermore, the assisted living and memory care residents are not anticipated to drive or retain their vehicles. According to the provider, Capri traditionally experiences 50-75% of parking usage per total Independent living apartments. Visitors will use surface parking along the front of the building and are not anticipated to use the underground parking structure. Due to the prospective tenants and senior nature of the development, the applicant is requesting a bicycle parking reduction as part of this application.

In terms of building placement, the applicant proposes to construct a private access road off of Tree Lane that will serve this development. Given the City's long term vision to eventually construct a public road from Tree Lane to Mineral Point Road through this portion of the site, the applicant will construct half of the internal road to City Standards and reserve other eastern half for a future street. The intention is that when the rest of the planned-multi-use site develops, the road dedication and construction area will be in place to facilitate that development. More detail is given to this aspect of the development in the Analysis section of the report.

Furthermore, the applicant oriented the building in a "zig-zag" shape to minimize the amount of mass overlooking the Tamarack Trails Condominiums to the west, with the fifth floor stepped back for additional bulk relief. The building will have a rooftop garden amenity area for residents located on the southeast section of the fifth floor. In terms of landscaping, there will be an outdoor patio space off the rear of the site near the border with Tamarack. The applicant is proposing a retaining wall and additional plantings to help screen the area.

In regards to the exterior materials, the building will consist of primarily burnished block and fiber cement. The applicant is proposing a palette of neutral grey, white, and pewter with some wood panel accents. Each unit will have large windows, with some balconies throughout.

In order for this development to occur, the applicant proposes to rezone the property from Suburban Employment (SE) to Commercial Corridor – Transitional (CC-T). The [Comprehensive Plan \(2018\)](#) calls for Community Mixed-Use for the subject site, which allows for up to 130 dwelling units per acre (du/ac). As proposed, the residential density is approximately 60 du/ac. Discussion about the proposed density and conformance with adopted plans is discussed in the following section.

Project Analysis and Conclusion

The proposed project is subject to the standards for Zoning Map Amendments [MGO §28.182(6)] and Conditional Uses [MGO §28.182(6)].

Conformance with Adopted Plans

The [Comprehensive Plan \(2018\)](#) recommends Community Mixed-Use for the subject site, which is classified as two to six stories and up to 130 dwelling units per acre (du/ac). Furthermore, the CMU category includes existing and planned area supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. There is no adopted neighborhood plan for the subject site.

The Planning Division believes that this proposal generally conforms to these recommendations. While technically not defined as a mixed-use building, staff supports the added residential component to a largely commercial site. Staff also acknowledges that there will be multiple uses within the building, providing amenities to residents and their visitors. At five stories and 60 du/ac, the proposal is within the height and density recommendations for CMU areas.

Zoning Map Amendment Standards

This proposal is subject to the standards for Zoning Map Amendments, as the subject property is proposed to be rezoned from Suburban Employment (SE) to Commercial Corridor - Transitional (CC-T). MGO §28.182(6) states that, "Map amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. "Consistent with" has been defined in State Statutes as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." Given that the [Comprehensive Plan \(2018\)](#) recommends Community Mixed-Use (CMU) as two to six stories and up to 130 dwelling units per acre (du/ac), staff believes that the proposed rezoning from SE to CC-T is generally consistent with plan recommendations. The existing zoning allows for approximately 64 du/ac for the site, and this rezoning will make the development more consistent with the adopted plan recommendations. Staff believes that the standards for Zoning Map Amendments can be found met.

Conditional Use Standards

In regards to the Conditional Use Approval Standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation. The Planning Division believes that this proposal conforms to the adopted plan recommendations for the subject site.

The applicant is requesting approval of three conditional uses:

- 1) An assisted living facility, congregate care facility, skilled nursing facility in the CC-T Zoning District;
- 2) A building exceeding 25,000 square-feet of floor area for an individual establishment; and
- 3) A new commercial building in a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor is designated or intended for retail use or for hotel or motel use

Staff believes that the standards can be found met and provides further discussion on Standards 5 and 9.

Conditional Use Standard #5 states, "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided." The Planning Division believes that this standard can be found met. In 2017, when the property owner submitted a Certified Survey Map (CSM) for the West Place development immediately south of the subject site, Traffic Engineering added the following condition of approval:

The applicant shall dedicate a public street to serve the redevelopment, **OR** build a private road to City of Madison public street standards, which may be dedicated to the City in the future. The street shall be a north-south street located along the western edge of the subject site. The north-south street will connect to the north-south private drive that intersects Mineral Point Road south of the site, and will ultimately extend from Tree Lane south to provide access to additional redevelopment anticipated on other properties owned by the applicant but not part of this land division. The goal is to create a cohesive internal street network with adequate circulation to serve the properties located along the west side of S. Gammon Road between Tree

Lane and Mineral Point Road, and to limit negative impact to the surrounding transportation network from any future development of these lots. As Phase 1 work only starts the redevelopment of the overall site the applicant shall only be required to implement this condition on internal streets impacted with Phase 1. The applicant shall continue to work with Traffic Engineering and City Engineering to satisfy this condition as development occurs.

In keeping with this condition, the applicant is proposing to construct a private street, built to City of Madison standards, off of Tree Lane. Given that only one lot on the northern portion of the multi-use site is proposed for development at this time, City staff is requiring that just the eastern half of the private street be constructed with this development. Under Traffic Engineering's jurisdiction, the applicant shall complete the western half of the private street, and eventually complete the connection to Mineral Point Road, when the other lots redevelop in the future. This future road shall be built to City of Madison public street standards and may be dedicated to the City in the future. The Planning Division acknowledges the existing development in this planned multi-use site and recognizes that constructing the full street at this time would disrupt existing parking counts and building configurations. There are additional conditions of approval from Traffic Engineering to ensure an adequate terrace and ingress/egress is provided with this development. Given the future commitment to a possible north-south connection, staff believes that Conditional Use Standard #5 can be found met.

In addition to the necessary site improvements, if dogs are allowed on site, then the Planning Division recommends a condition of approval requiring a station for the collection of dog waste to be included in the project to discourage dog waste from collecting on nearby streets.

Conditional Use Standard #9 states, "When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendations." This proposal went before the UDC on June 26, 2019 for an advisory recommendation to the Plan Commission.

Given that this development is located within a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor is designated or intended for retail use or for hotel or motel use, a recommendation from the Urban Design Commission (UDC) is required. At their June 26, 2019 meeting, meeting in regular session, the UDC voted unanimously to recommend that the Plan Commission approve this request with the following conditions:

- Redesign the entry to remove stone mulch, consider ground plantings or wood mulch;
- Provide additional plantings along the northern property line, consider something taller than the grasses shown;
- Add supplemental rooftop screening for HVAC equipment; and
- Remove the easternmost parking stall in the northern off-street parking lot.

Furthermore, the Zoning Administrator included the following condition of approval to improve the entrance orientation to Tree Lane: Work with Planning and Zoning staff to more prominently orient the building entrance to the street. All new buildings shall have a functional entrance oriented to an abutting public street. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.

Given that the UDC recommended approval, and the applicable Zoning Condition of Approval, the Planning Division believes that this standard can be found met.

Public Input

At the time of report writing, the Planning Division did not receive comments specifically for Plan Commission review but received comments from the Tamarack Trails West Place Workgroup for the June 26th UDC meeting. The Workgroup is generally supportive of the development, but noted their preference for a more residential building appearance. Those comments are attached.

Conclusion

The applicant proposes to construct a five-story, 272,075-gross-square-foot senior living development with 147 independent living units, 28 assisted living units and underground parking. To facilitate this redevelopment, the applicant requests approval of a three conditional uses and a zoning map amendment to rezone the subject site from Suburban Employment (SE) to Commercial Corridor - Transitional (CC-T).

The Planning Division believes that this proposal can be found to meet the approval standards for zoning map amendments and conditional uses. As proposed, the added residential density will be in keeping with the [Comprehensive Plan \(2018\)](#) land use recommendations for the subject site.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the approval standards for zoning map amendments are met, and forward the rezoning request 28.022 -- 00389 to the Common Council with a recommendation to **approve**. Secondly, the Planning Division recommends that the Plan Commission find that the standards for conditional uses are met, and **approve** the conditional use requests. These recommendations are subject to input at the public hearing and the conditions from reviewing agencies in this report.

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

Planning Division (Contact Sydney Prusak, (608) 243-0554)

1. The pending Certified Survey Map (CSM) 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.
2. If dogs are allowed on site, a station for the collection of dog waste shall be included in the project to discourage dog waste from collecting on nearby streets.

City Engineering Division (Contact Tim Troester (608) 267-1995)

3. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

4. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral 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. The permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
5. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO16.23(9)(d)(4))
6. 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)
7. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number: a) Building Footprints b) Internal Walkway Areas c) Internal Site Parking Areas d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Private on-site sanitary sewer utilities (including all connections to public sanitary)k) Private on-site storm sewer utilities (including all connections to public storm)All other levels (contours, elevations, etc) are not to be included with this file submittal. NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
8. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))PDF submittals shall contain the following information: a) Building Footprints b) Internal Walkway Areas c) Internal Site Parking Areas d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.) e) Right-of-Way lines (public and private) f) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Stormwater Management Facilities k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
9. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:a) SLAMM DAT filesb) RECARGA filesc) TR-55/HYDROCAD/Etcd) Sediment loading calculations. 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. (POLICY and MGO 37.09(2))
10. Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document

and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Daniel Olivares at DAOlivares@cityofmadison.com final document and fee should be submitted to City.

11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hr, 100-yr design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
12. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity. (POLICY)
13. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates.
15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
17. 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.
18. The lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds. (POLICY)

19. 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>.
20. Applicant shall remove parking from terrace on North South roadway to provide consistent 8' terrace. Pavement shall be type A City Standard Detail 4.02.
21. The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

22. The address of the building is yet to be determined. The drive in front of the building will be named and the complex shall be addressed off of that private named drive/street. 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.
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23. Document Number 2653307 (amended by 5383913) and also Document No's 5387260 and 5387336 address easements and rights for common accesses, surface drainage, private utilities serving each site and use of common areas between this site and adjacent properties. Therefore the proposed common access, private water main and private sanitary sewer proposed serving this site are addressed by these documents.

It is suggested that minor amendments be recorded after the proposed Certified Survey Map has been recorded to accurately update the descriptions for the properties subject to these documents and to create a clear chain of title.

24. The Stormwater maintenance agreements per Doc No's 3547784, 3887137 and 5428335 include lands within this site. These agreements shall be amended and recorded copies provided prior to final sign off. The amendments shall properly identify the Lots encumbered by each the agreements after the proposed Certified Survey Map has been recorded and the Lot for this site has been created.
25. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record
26. There is a mismatch of the total number of apartments and memory care units. The number given among the letter of intent (150/32), application [approx (143/32), proposed type (108 one bdrm +71 two bdrm)], floor plan drawings (148/30), and floor plan floor count table (147/32) do not match. Reconcile the drawing and unit count tables on the submittal.

Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan for the apartments and assisted living units. 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 application submittal for the final Site Plan Approval 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 Address 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 (Contact Sean Malloy, (608) 266-5987)

27. The applicant shall construct their private street to City of Madison standards per previous approval from 302 S. Gammon CSM. The applicant shall provide a continuous terrace of at least 6' in width on their private street.
28. The northern parking lot has parking stalls that back across the sidewalk, the applicant shall work with Traffic Engineering to alter the parking lot so that vehicles do not back across the sidewalk.
29. The applicant shall construct their private street to City of Madison standards per previous approval from 302 S. Gammon CSM. The applicant shall modify the curb adjacent on-street parking to provide a 20' reverse curve to allow for parking stall ingress/egress and maintenance on their private street.
30. 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.
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 MGO standards, as set in section 10.08(6).
34. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
35. All pedestrian walkways adjacent parking stalls shall be 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 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.
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. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
39. "Stop" signs shall be installed at a height of seven (7) feet 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.
40. 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.
41. Parking stalls that are located next to a sidewalk shall have a barrier between the stall and the sidewalk or a minimum 3' buffer to serve as protection for any pedestrians.

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

42. Work with Planning and Zoning staff to more prominently orient the building entrance to the street. All new buildings shall have a functional entrance oriented to an abutting public street. Entries shall be clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.

43. This project is designed as part of a planned multi-use site. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
44. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required surface and underground accessible stalls including van accessible stalls. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the dimensions of the accessible stalls and access aisles on the plans and the required signage at the head of the stalls.
45. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of one (1) bicycle stall per four (4) units plus one (1) per five (5) employees (54 total stalls). The amount of required bicycle parking may be reduced by the Zoning Administrator per Section 28.141(5). A request for a bicycle parking reduction may be submitted with the final plan verification including information to support the request. Factors to be considered by the Zoning Administrator include but are not limited to: availability, proximity, and use characteristics of public bike parking in the public right of way within two hundred (200) feet of the subject property; existing or potential shared parking agreements; proximity to transit routes and/or multi-use paths; characteristics of the use, including hours of operation and peak parking demand times; design and maintenance of off-street bicycle parking, and whether the use is existing or is an addition to an existing use.

46. Identify and show the dimensions of the bicycle stalls, including the access aisles, on the final plans. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
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 ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. Include details of the fifth floor rooftop garden on the landscape plan.
48. Identify and label the existing trees or landscaping that will remain in the altered landscape islands adjacent the existing building at 202 S Gammon Rd and in the area affected by the proposed roadway. Verify that the new or altered parking lot landscape islands located adjacent 202 S Gammon Rd contain a minimum of 75% vegetative cover. Per Sections 28.142(3)(c) and 28.142(4)(e), planting beds or planted areas must contain at least 75% vegetative cover mulched. Mulch shall consist of shredded bark, chipped wood or stone installed at a minimum depth of two (2) inches. If stone is used, it shall be spread over weed barrier fabric.
49. Provide details showing that the street-facing façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the façade area, and upper story openings shall comprise a minimum of fifteen (15%) of the façade area per story.
50. Provide details of the entry canopy. Show the underground garage entries on the building elevations.
51. Provide a detail or profile of the rooftop mechanical equipment demonstrating that the rooftop mechanical equipment will not be visible to view above the height of the parapets. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
52. 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.
53. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

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| 54. On-site staffing shall be sufficient to perform the emergency evacuation plan where residents need assistance such as the memory care and CBRF portions of the facility. |
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55. Water mains shall be sized to supply the minimum required fire flow as outlined in IFC appendix B. Other methods of fire flow calculations may be considered.
 56. Provide fire apparatus access as required by IFC 503 2015 edition, MGO 34.503. The site plans shall clearly identify the location of all fire lanes.

Parks Review (Contact Sarah Lerner, (608) 261-4281)

57. Pursuant to MGO 20.08 (2)(c)2.d. the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.

58. 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 Park-Infrastructure Impact Fee district. Please reference ID# 19029 when contacting Parks about this project.

Forestry Review (Contact Brad Hofmann, (608) 266-4816)

59. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction -

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

60. A Water Service Application Form and fees must be submitted 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 Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.