



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, AICP, Director

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July 30, 2020

Ulian Kissiov  
476 Presidential Lane  
Madison, WI 53711

RE: LNDUSE 2020-00057 | ID# [60486](#) and [60904](#)

**603 South Point Drive** – Multiple Approvals: 1) Rezoning to the TR-P District; 2) Amending the TR-P zoning master plan for the “Acacia Ridge” subdivision; and 3) Conditional Use for a residential building complex and for a building exceeding four stories, 52 feet in height.

Dear Mr. Kissiov:

At its July 13, 2020 meeting, the Plan Commission approved conditional use requests for a residential building complex and for a building exceeding four stories and 52 feet in height. At its July 21, 2020 meeting, the Common Council approved the rezoning of the subject property from Temporary Agriculture (Temp-A) to Traditional Residential-Planned (TR-P) and approved an amendment to the TR-P zoning master plan for the “Acacia Ridge” subdivision. The following approval conditions shall be satisfied prior to final plan approval and the issuance of building permits for this project, and, where applicable, throughout the life of the use.

**Please contact Brenda Stanley of the City Engineering Division at 608-261-9127 if you have any questions regarding the following 22 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 City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct sidewalk on South Point Rd and Harvest Moon Ln to a plan and profile as approved by City Engineer
3. Developer shall install median, pavement, curb & gutter, terrace, lighting to South Point Dr & Harvest Moon as required by City Engineer.
4. This development is subject to impact fees for the Lower Badger Mill Creek Impact Fee District Sewer Interceptor and Storm). All impact fees are due and payable at the time building permits are issued (MGO Ch 20). Add the following note on the face of the plans: LOTS / BUILDINGS WITHIN THIS DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
5. 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. (MGO 16.23(9)(d)(4))

6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
8. 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/constformsinfo.htm>
9. 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 CARPC is required for this project to proceed.
10. Applicant shall revise plans (Sheet C-103) to show limits of private sanitary sewer easement(DOC. 5543224) to confirm that private sewer main is located within the limits of the easement
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 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
12. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
13. This project will disturb 20,000 sf 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](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
14. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances 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. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

15. 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, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)
16. 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 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
17. 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. 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 Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
19. 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))
  - Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.
  - TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.
  - Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window. Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.
20. 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.
21. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.

22. 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 608-266-4097 if you have any questions regarding the following eight (8) items:**

23. Provide for review and amendment to the access agreement per 5472670 and Cross Reciprocal easements per Doc No 5543223. The amendments shall be recorded prior to final site plan sign off.
24. The address of 603 South Point Rd will be retired with the demolition of the existing building.
25. The address for the 92 unit apartment building is 605 South Point Rd. The duplex addresses are 9401, 9403, 9405 & 9407 Harvest Moon Ln.
26. 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. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
28. Submit a complete building Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan.
29. 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 final verification submittal stage of this LNDUSE with Zoning. The approved Addressing Plan shall be included in the final application.
30. 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.

**Please contact Sean Malloy of the Traffic Engineering Division at 608-266-5987 if you have any questions regarding the following 16 items:**

31. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off to facilitate sidewalk installation and curb relocation on Harvest Moon Lane and South Point Road.
32. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale 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.

33. 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.
34. 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.
35. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
36. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
37. 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.
38. 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.
39. The applicant shall adhere to all vision triangle requirements as set in MGO 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 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.
40. 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.
41. 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 three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) ([ascheib@cityofmadison.com](mailto:ascheib@cityofmadison.com)) 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.

42. No alterations to the CSM shall negatively impact the approved site plan and/or cause the approved site plan to be in non-compliance.
43. "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.
44. 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.
45. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
46. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed with a "No Parking Anytime."

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 608-266-4429 if you have questions about the following eight (8) items:**

47. Submit updated exhibits for the Amendment adding the property at 603 South Point Road to the Acacia Ridge TR-P Master Plan.
48. The proposed residential building complex is the second phase to the Edison, a residential building complex under construction at 9502-9510 Watts Road and 604 Feather Sound Drive. Submit an overall site plan exhibit including the cross connected property to the south at 9502-9510 Watts Road and the property to the east at 604 Feather Sound Drive.
49. A Conditional Use has been approved for a residential development at 9502-9510 Watts Road and 604 Feather Sound Drive. Submit a minor alteration to the approved Conditional Use to document the site and landscape changes that will result from connecting the proposed residential building complex to the approved residential development.
50. Identify qualifying usable open space areas in the plans. Usable open space shall be at ground level in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall be outside of a required front or corner side yard, as extended to the rear lot line. 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 designed for outdoor recreation only maybe included as usable open space.
51. Install a landscape island within the north row of parking stalls abutting the two-family twin dwellings. A planting island shall be located at least every twelve (12) contiguous stalls with no break.
52. Include the basement level floor plan for the two-family twin dwellings in the final plan set.

53. 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.

54. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact Sarah Lerner of the Parks Division at 608-261-4281 if you have any questions regarding the following item:**

55. 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# 20019 when contacting Parks about this project.

**Please contact Bill Sullivan of the Madison Fire Department at 608-261-4429 if you have questions regarding the following item:**

56. Provide fire sprinkler protection in the twin homes in accordance with NFPA 13D Sprinkler Systems for One- and Two-Family Homes. Additional information is available at the Home Fire Sprinkler Coalition website: <https://homefiresprinkler.org/building-residential-fire-sprinklers>.

**Please contact Bradley Hofmann of City Forestry at 608-267-4908 if you have any questions regarding the following item:**

57. As defined by Madison General Ordinance 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

**Please contact Tim Sobota of Metro Transit at 608-261-4289 if you have any questions regarding the following two (2) items:**

58. The proposed conditional use development is outside Metro Transit's service area. The closest bus stop with scheduled bus service is no less than 1.5 miles walking distance - and the units would be greater than the ¼ mile regulatory distance from all day scheduled bus service, that disqualifies any trips in this subdivision for passengers who might otherwise be eligible for door-to-door paratransit service.

59. The pedestrian access between this site and the scheduled bus service, located on Junction Road at Mineral Point Road, includes approximately three-quarters of a mile travel along the unimproved shoulder of County Highway S (Posted 45 mph).



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

60. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two 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 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. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
61. Dwellings shall have separate water services, curb stops, lines and meters. The water service may be split in the terrace, with separate curb stops, lines and meters.

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

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at [zoning@cityofmadison.com](mailto:zoning@cityofmadison.com). (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email [zoning@cityofmadison.com](mailto:zoning@cityofmadison.com) regarding questions or if you need alternative filing options) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void two (2) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six (6) months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to twelve (12) months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.



If you have any questions regarding obtaining your building permit, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 267-1150 or [kfirchow@cityofmadison.com](mailto:kfirchow@cityofmadison.com).

Sincerely,

Kevin Firchow, AICP  
Principal Planner

cc: ALL VIA EMAIL

Matt Tucker, Zoning Administrator  
Brenda Stanley, Engineering Division  
Jeff Quamme, Engineering Division – Mapping  
Sean Malloy, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Bradley Hoffman, City Forestry  
Sarah Lerner, Madison Parks Division

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

\_\_\_\_\_  
*Signature of Applicant*

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

<b>Accela ID: LNDUSE-2020-00057</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: