



Project Addresses: 6853 McKee Road
Application Type: Planned Development District
Legistar File ID # [75171](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Alex Weis, Livesey Company, LLC/Mad Grove, LLC; 2248 Deming Way, Suite 200; Middleton.

Requested Actions: Amending a Planned Development District–General Development Plan for 6853 McKee Road to allow future mixed-use, commercial, and multi-family residential development.

Proposal Summary: The applicant and property owner is requesting approval of a major alteration to a Planned Development District–General Development Plan for an undeveloped 6.5-acre parcel located at the southwestern corner of McKee Road and Maple Grove Drive. The proposed amended General Development Plan conceptually calls for the future development of the site with a three-story mixed-use and multi-family building with 120 apartments and a standalone one- to two-story commercial building. Approval of a Specific Implementation Plan or Plans will be required prior to issuance of building permits for either building shown on the amended plans.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for the Planned Development zoning district is outlined in Section 28.098 of the Zoning Code.

Review Required By: Urban Design Commission, Plan Commission and Common Council.

Summary Recommendation: If the Plan Commission can find the standards for Planned Developments met, the Planning Division recommends that it forward Zoning Map Amendment ID 28.022–00605, approving an amended Planned Development–General Development Plan for 6853 McKee Road to allow future mixed-use, commercial, and multi-family residential development, to the Common Council with a recommendation of **approval** subject to input at the public hearing, the recommendation of the Urban Design Commission, and the conditions from reviewing agencies beginning on page 8 of this report.

Background Information

Parcel Location: The subject site is a 6.5-acre parcel located at the southwestern corner of McKee Road (CTH PD) and Maple Grove Drive; Alder District 7 (Wehelie); Madison Metropolitan School District. The larger PD district that includes the subject site is approximately 14 acres in area and includes the two adjacent apartment complexes to the west and south of the subject property.

Existing Conditions and Land Use: Undeveloped land, zoned PD.

Surrounding Land Use and Zoning:

North: Chester Creek Townhomes, zoned PD; Romantix retail store and El Imperio restaurant, zoned CC-T (Commercial Corridor–Transitional District);

South: Stone Creek Apartments on the north side of East Pass, zoned SR-V2 (Suburban Residential–Varied 2 District) and PD;

West: Four- and six-unit apartment and condominium buildings along Stonecreek Drive, zoned SR-V1 (Suburban Residential–Varied 1 District) and SR-V2; 80-unit Maple Grove Commons Apartments, zoned PD;

East: Across Maple Grove Drive: Walgreens, Pick ‘N Save, and multi-tenant retail/ commercial, and Westin Place Apartments, all zoned PD.

Adopted Land Use Plan: The 2018 Comprehensive Plan generally identifies the subject site, neighboring apartment complex to the west, and the commercially developed properties on the other three corners of the McKee Road-Maple Grove Drive intersection for Neighborhood Mixed-Use (NMU). The apartment complexes to the south, further to the west, and to the north across McKee Road are recommended for Medium Residential (MR) and Low-Medium Residential (LMR).

The 1993 Cross Country Neighborhood Development Plan recommends the subject site be developed with commercial-office uses related to the 1995 approval of the site for a medical-office campus. That portion of the planning area was previously recommended for medium-density residential uses.

Zoning Summary: The subject site is zoned PD. A review of the proposed amended PD(GDP) follows.

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning) , Barrier Free, Utility Easements
No:	Floodplain, Wellhead Protection, Waterfront Development, Landmark, Adjacent to Park
<i>Prepared by: Jenny Kirchgatter, Asst. Zoning Administrator</i>	

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

Public Utilities and Services: This property is served by a full range of urban services. Metro Transit currently operates all-day and weekend transit service approximately a half-mile north of the subject site on Carnwood Road at McKenna Boulevard. Beginning in summer 2023, Metro is planning to provide all-day service every 30 minutes on two routes that will originate at the Maple Grove-McKee intersection, Routes “D2” and “E”.

Previous Approvals

On December 19, 1995, the Common Council approved a request to rezone approximately 36 acres located at the southwestern corner of McKee Road and Maple Grove Drive from Temp. A (Agriculture District) to R4 and R5 (General Residence Districts) and PUD-GDP [1966 Zoning Code] and approved the preliminary plat of the *East Pass Addition to Country Grove* subdivision, which created the four PUD-GDP-zoned lots along McKee Road for future medical-office development as well as various lots to the south and west for primarily multi-family residential development. The final plat of *East Pass Addition to Country Grove* was approved by the Council on July 2, 1996 and was recorded on July 24, 1996. The final plat includes a 30-foot building line parallel to McKee Road and a restriction limiting the McKee Road frontage to one driveway access. The PUD-GDP zoning approved in 1995 was

intended to accommodate the development of a Dean Medical campus primarily containing health-related uses, including medical, dental and optical clinics with accessory offices and laboratories; pharmacies; day care facilities, and; veterinary clinics. However, development of the health campus did not proceed past the General Development Plan approval.

On January 19, 2010, the Common Council conditionally approved a request to rezone 6901-6921 McKee Road from PUD-GDP to Amended PUD-GDP to allow future construction of an 80-unit senior apartment building. On January 12, 2015, the Plan Commission approved an alteration to the Planned Development–General Development Plan to allow the 80-unit building to be developed as family housing.

On March 2, 2010, the Common Council conditionally approved a request to rezone 6701-6801 McKee Road and 3210 Maple Grove Drive from Temp. A, R1 (Single-Family Residence District) [1966 Zoning Code] and PUD-GDP to PUD-GDP to allow the future construction of 110 apartments in 4 residential buildings and up to 90,000 square feet of retail in six commercial buildings.

On January 17, 2012, the Common Council approved a request to rezone 3210 Maple Grove Drive from PUD-GDP to PUD-SIP to allow demolition of a church/school and construction of 106 multi-family residential units in four buildings. On January 9, 2012, the Plan Commission approved a demolition permit for the church/school demolition and recommended approval of the multi-family Specific Implementation Plan.

On August 26, 2015, a Certified Survey Map to divide 6851-6901 McKee Road into two lots was administratively approved subject to conditions, including dedication of right of way for a future roundabout at the intersection of McKee Road and Maple Grove Drive requested by the City Traffic Engineer. On September 1, 2015, the Common Council approved a resolution approving the land division. CSM 14204 was recorded on March 22, 2016.

Also on September 1, 2015, the Common Council approved a request to rezone a portion of 6851 McKee Road from PD(GDP) to PD(SIP) (Planned Development District–Specific Implementation Plan) and approved a Specific Implementation Plan to allow construction of 80 apartments in two buildings (on Lot 1 of CSM 14204).

Project Description

The applicant and property owner is requesting approval of a major alteration to a Planned Development District–General Development Plan for an undeveloped 6.5-acre parcel located at the southwestern corner of McKee Road (CTH PD) and Maple Grove Drive. The proposed amended General Development Plan conceptually calls for the future development of the site with a three-story mixed-use and multi-family building with 120 apartments and a standalone one- to two-story commercial building.

The subject site is part of a larger 14-acre Planned Development (PD) district that extends along the south side of McKee Road west of Maple Grove Drive. The overall PD district also includes the adjacent 80-unit Maple Grove Commons apartment development located west of the site across [private] Golden Copper Lane, and the 106-unit Stone Creek Gardens apartment complex located south of [private] Mader Drive. (Stone Creek Gardens is attached to the older Stone Creek Apartments complex, which was developed in R5 (now SR-V2) zoning; both complexes were developed and are owned by the same management group.)

The portion of the PD subject to amendment is generally bounded by McKee Road on the north, Maple Grove Drive on the east, Mader Drive on the south, and Golden Copper Lane and Stonecreek Drive on the west. The

undeveloped land is characterized by 20 feet of grade change from the northeastern corner of the site adjacent to the Maple Grove-McKee intersection to a low spot at the Mader-Golden Copper intersection. Most of the land subject to the current application is undeveloped land bounded by McKee, Maple Grove, Mader, and Golden Copper, but the 6.5 acres also includes land containing two stormwater management facilities located on both sides of Mader Drive west of Golden Copper Lane, which serve the larger district.

The amended General Development Plan calls for a three-story mixed-use building to be developed on the eastern two-thirds of the portion of the site bounded by McKee, Maple Grove, Mader, and Golden Copper. The building will include up to 120 apartments to be developed in two three-story wings, with 2,500 square feet of ground floor commercial to be located in the eastern wing (Building 'A1') adjacent to the Mader Drive-Maple Grove Drive intersection. The western wing will be an all-residential building ('A2'), which is proposed to appear as a standalone three-story building perpendicular to McKee Road, but which is proposed to be connected to the A1 wing by an underground parking level to be built into the grade of the site parallel to McKee Road, with an at-grade parking area and landscaped courtyard between the two wings. Additional surface parking is shown west of the A2 wing. Conceptual massing for the A1/A2 building is included in the plans accompanying the amended General Development Plan.

The remainder of the developable land west of Building A2 is shown as an up to 10,000 square-foot commercial building that will adjoin the McKee Road right of way. The project plans indicate that the commercial building will be one story tall, though the letter of intent indicates that the building could be two stories tall. The plans show a surface parking lot occupying most of the remaining land between the western building and Mader Drive to the south.

If the amended General Development Plan is approved, a Specific Implementation Plan will be required for each proposed building prior to issuance of permits.

Analysis

The applicant and property owner is seeking approval of an amended General Development Plan for the subject site for myriad reasons:

- First, Section 28.098(5)(c)7. of the Zoning Code requires that any Planned Development not constructed in accordance to its approved phasing plan, and any phases not constructed within ten (10) years of the Common Council approval of the General Development Plan, shall require approval of a new General Development Plan by the Common Council following a recommendation by the Plan Commission. In considering extensions of approved General Development Plans for unconstructed components/ phases, the Plan Commission shall consider changes in the surrounding area or neighborhood since approval of the General Development Plan that would render the project incompatible with current conditions. As noted above, the previous General Development Plan was approved by the Common Council in March 2010, thereby requiring re-approval;
- The proposed site plan submitted with the amendment calls for a substantially different layout and density of development compared to the General Development Plan approved in 2010; and
- Some of the potential uses of the subject site, including for the proposed one- to two-story standalone commercial building on the western portion of the subject site, are not allowed in the zoning text of record for the PD district approved in 2010. An amendment to the zoning text to update the list of uses is best

accomplished by an alteration approved by the Common Council following a recommendation by the Plan Commission. The zoning text submitted with the proposed amendment generally calls for uses as allowed (permitted and conditional) in the CC-T (Commercial Corridor–Transitional) zoning district be permitted on the subject site.

The decision process for approval of a General Development Plan, including any major alteration to an approved General Development Plan, shall be as specified for zoning map amendments in Section 28.182, including a recommendation by the Plan Commission and approval by the Common Council. The Urban Design Commission shall review the General Development Plan prior to the Plan Commission and make a recommendation to the Plan Commission with specific findings on the design objectives listed in Subsections 28.098(1) and (2) and the other requirements of this Subchapter. Approval of the rezoning and related General Development Plan, and any major alteration to an approved General Development Plan, shall establish the basic right of use for the area and shall be recorded against the PD-zoned property. However, the plan shall be conditioned upon approval of a Specific Implementation Plan, and shall not allow any of the uses as proposed until a Specific Implementation Plan is submitted and approved for all or a portion of the General Development Plan.

As with any zoning map amendment, including the proposed Amended PD(GDP), the Common Council shall find that the zoning map amendment is *consistent with* the City's Comprehensive Plan as required by Section 66.1001(3) of Wisconsin Statutes. "Consistent with" is defined as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

The 2018 Comprehensive Plan generally recommends most of the McKee Road-Maple Grove Drive intersection for Neighborhood Mixed-Use (NMU), including the subject site. The NMU land use category calls for relatively small existing and planned activity centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. Development and design in NMU areas should be compact and walkable, and such mixed-use areas should be well connected and integrated into neighborhoods. Development in the NMU district should be transit-oriented, even in areas where transit service does not yet exist, and buildings should be oriented towards streets and located close to public sidewalks. On-street parking is recommended where practical, with private off-street parking placed primarily behind buildings, underground, or shielded from public streets by liner buildings. Non-residential uses in NMU areas should focus on serving nearby residents, though some buildings may also include specialty businesses, services, or civic uses that attract customers from a wider area. An individual building should not include more than 10,000 square feet of commercial space, except for buildings containing grocery stores and/ or community facilities (such as libraries). Finally, buildings in NMU are recommended to be two to four stories tall and may include housing developed at a density up to 70 units per acre.

Additionally, McKee Road is identified in the Comprehensive Plan as a community growth corridor, with the Maple Grove-McKee intersection also identified as a "transitioning neighborhood center." According to the Plan, community growth corridors are recommended along certain major streets in the city that have some transit, but lack a diversity of existing or planned future land uses. Many such corridors are or are expected to transition from an auto-oriented development pattern to more transit-, walk-, and bike-friendly styles of development. Within the hierarchy of activity centers in the Growth Framework in the 2018 plan, neighborhood centers are envisioned as the least intensively developed centers compared to the regional and community activity centers recommended across the City and its peripheral growth areas. Neighborhood activity centers tend to draw primarily from surrounding neighborhoods, generally have less transit access, and are sometimes located along less busy streets or sections of streets. Transitioning activity centers are considered "underutilized" areas with

commercial and employment uses that are well served by transit with the potential to transition into “vibrant” mixed-use areas over time.

Planning staff feels that the recommendations in the 2018 Comprehensive Plan are most relevant to consideration of the current amendment request. While the site is located within the boundaries of the 1993 Cross Country Neighborhood Development Plan, that plan’s recommendations for commercial office development are out of date with the most recently approved General Development Plan for the site, which called for residential and commercial use of the site. [The Cross Country planning area is located in Area 4–Southwest under the new area planning framework; preparation of the Southwest Area Plan is scheduled to commence in 2024, at which time the land use recommendations for this portion of the City will likely be updated.]

The Planned Development (PD) zoning district is intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations, and that features high-quality architecture and building materials. Specific objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans.

The Planning Division believes that the proposed amended General Development Plan for the undeveloped land at the southwestern corner of McKee Road and Maple Grove Drive is generally – but not entirely – consistent with the recommendations for NMU development in the Comprehensive Plan. While the development of the eastern two-thirds of the developable land subject to the amendment with three-story mixed-use and multi-family buildings reflects many of the general recommendations for NMU development for a transitioning neighborhood activity center located along a community growth corridor, the amount of surface parking proposed across the subject site and the development of the western third of the site with as little as a one-story, 10,000 square-foot building could be found to not reflect the character and intensity of development recommended in NMU areas.

The Urban Design Commission reviewed the Amended PD(GDP) on January 11, 2023 and made an **advisory recommendation** to the Plan Commission that it be approved. The Urban Design Commission noted that it is in general favor of the layout and concept and recommended the following conditions to the Plan Commission:

- Reducing the on-site parking to create more green space, especially adjacent to Building A2 on the northwest side of the building.
- The commercial building shall be designed to hold the corner and maximize the building volume at the corner of Golden Copper Lane and McKee Road. The building design shall be more in line with the two-story plan recommendations either by adding a story or by incorporating an architecture volume like a mezzanine, etc.
- Provide the option to make Building A1 all residential versus mixed-use.

A draft report from the January 11 Urban Design Commission discussion is attached to the legislative file for the proposed amended General Development Plan.

Planning staff concurs with the first two comments included in the Urban Design Commission’s recommendation. Parking for the site should be carefully considered when the Specific Implementation Plan approval for the buildings is sought, including every opportunity for surface parking for automobiles to be limited or shared. Starting in summer 2023, the site will be served by two “Standard” Metro Transit lines originating at the Maple

Grove-McKee intersection, with buses on each route scheduled to arrive every 30 minutes on weekdays and every 60 minutes late nights and weekends, which staff feels may reduce some of the need for automobile parking in the coming years. Staff also supports the standalone commercial building being designed to hold the corner and maximize the building volume at the corner of Golden Copper Lane and McKee Road and having at least a two-story form if not an actual two stories. Planning staff would also welcome a more intensive use of the western portion of the amendment area should such a use present itself.

However, while staff certainly understands the sentiments of some members of the Urban Design Commission regarding the general utility and efficacy of some smaller commercial spaces in large mixed-use buildings, the Planning Division feels that there would still be a benefit to including a commercial space in Building A1. While the space is located at what will be the less-traveled corner of Mader and Maple Grove Drives compared to the McKee Road corner, the activation of that corner with a commercial space should be bring more activity along the Maple Grove sidewalk than what would likely be the case for a residential-only building.

Building on the Urban Design Commission recommendation, Planning staff will look for all of the future buildings developed on the subject site to be as oriented to the adjoining streets as they may be to any parking that will be developed to serve them, including active entrances directly accessible from the McKee Road and Maple Grove Drive sidewalks. Such a degree of orientation and activation would be required in conventional zoning, and staff feels that PD zoning should not be used to circumvent those requirements. In the case of the residential components of the future development, ground floor entrances to buildings and dwelling units should be employed to the greatest extent possible.

Conclusion

In closing, the Planning Division believes that the proposed amended General Development Plan for the undeveloped land at the southwestern corner of McKee Road and Maple Grove Drive is generally – but not entirely – consistent with the character and intensity of development recommended for NMU development in the Comprehensive Plan.

Should the Plan Commission can find that the future development is consistent with NMU development and the standards for approval of amended Planned Development–General Development Plan are met, staff recommends that automobile parking be limited to the greatest extent possible, that the standalone commercial building on the western portion of the site be designed to hold the corner and maximize the building volume at the corner of Golden Copper Lane and McKee Road, and that the standalone building have at least a two-story form if not an actual two stories. Future buildings on the site should also be as oriented to the adjoining streets as they may be to any parking that will be developed to serve them, including active entrances directly accessible from the McKee Road and Maple Grove Drive.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

If the Plan Commission can find the standards for Planned Developments met, the Planning Division recommends that it forward Zoning Map Amendment ID 28.022–00605, approving an amended Planned Development–General Development Plan for 6853 McKee Road to allow future mixed-use, commercial, and multi-family residential

development, to the Common Council with a recommendation of **approval** subject to input at the public hearing, the recommendation of the Urban Design Commission, and the conditions from reviewing agencies:

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

Planning Division

1. At the time of Specific Implementation Plan approval, the applicant shall limit, reduce, or share parking for the proposed buildings to increase usable open space to the greatest extent possible, including at the northwestern corner of proposed Building A2.
 2. That all future buildings be as oriented to the adjoining streets as they may be to any parking that will be developed to serve them, including active entrances directly accessible from the McKee Road and Maple Grove Drive. Ground floor entrances to residential buildings and dwelling units are strongly encouraged. This requirement shall be referenced in the final zoning text for the PD(GDP) and be met as part of the approval of the Specific Implementation Plan(s) preceding the issuance of building permits.
 3. The standalone commercial building shall be designed to hold the corner and maximize the building volume at the corner of Golden Copper Lane and McKee Road. The building design shall be more in line with the two-story plan recommendations either by adding a story or by incorporating an architecture volume like a mezzanine, etc. This requirement shall be referenced in the final zoning text for the PD(GDP) and be met as part of the approval of the Specific Implementation Plan preceding the issuance of building permits.
4. That the applicant work with Planning and Zoning staff to finalize the zoning text applicable to the subject site prior to recording of the Amended PD(GDP). The final text shall include:
 - a. a description of the proposed land uses, their dimensions, bulk, height, scale and massing, and other relevant standards;
 - b. the development density, height, floor area, and dimensional requirement for the lots or building sites as a range; and
 - c. a schedule or phasing plan indicating the approximate dates when construction of the Planned Development can be expected to begin and be completed.

Urban Design Commission (Contact Jessica Vaughn, (608) 267-8740)

On January 11, 2023, the Urban Design Commission made an **advisory recommendation** to the Plan Commission that the Amended PD(GDP) be approved subject to the following comments and conditions:

5. Reduce the on-site parking to create more green space, especially adjacent to Building A2 on the northwest side of the building.
6. The commercial building shall be designed to hold the corner and maximize the building volume at the corner of Golden Copper Lane and McKee Road. The building design shall be more in line with the two-story plan recommendations either by adding a story or by incorporating an architecture volume like a mezzanine, etc.
7. Provide the option to make Building A1 all residential versus mixed-use.

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

8. The applicant shall submit utility plan for lot development. Current plans does not include plans for utility improvements.
9. Enter into a City / Developer agreement for the required infrastructure improvements. This agreement shall 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.
10. Construct sidewalk, terrace, curb and gutter, and pavement according to a plan approved by the City Engineer.
11. 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 ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering sign-off.
12. An Erosion Control Permit is required for this project.
13. A Storm Water Management Report and Storm Water Management Permit is required for this project.
14. A Storm Water Maintenance Agreement (SWMA) is required for this project.
15. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Wisconsin Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
16. Revise the site plan 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.
17. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used.
18. Revise plan set to show more information on proposed drainage for the site. Use either spot elevations and drainage arrows or proposed contours to show the required drainage information. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
19. This project will disturb 20,000 square-foot 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.

20. Demonstrate compliance with MGO Section 37.07 and 37.08 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.
21. 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.
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:
 - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
 - Detain the 100- and 200-year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances 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.
 - Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.
 - 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 BMP used to meet stormwater management requirements on this project.
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).
24. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

25. The development proposal proposes a partial discontinuance of public right of way at the northeastern corner of this development to accommodate a proposed building. Traffic Engineering has determined there is availability of some lands for discontinuance with the type of intersection anticipated at McKee Road and Maple Grove Drive. The applicant shall coordinate the area of vacation with City Engineering and Traffic

Engineering staff. Upon that coordination provide a map exhibit of the discontinuance area showing all existing improvements and utilities to Jeff Quamme (jrquamme@cityofmadison.com) for circulation to all City agencies for review. Upon approval of the area of discontinuance, provide a final map exhibit and legal description of the discontinuance area prepared by a professional land surveyor to Jeff Quamme. A resolution shall then be initiated by the City under Section 66.1003(4) Wis. Stats. with conditions of the effective date of the discontinuance based upon the inevitable approval of the development, development agreement execution and Certified Survey Map ready for recording. The applicant shall be responsible to coordinate and pay for any required movement of utilities or easements required by the Utility Companies having facilities lying within the area of discontinuance prior to the recording of the discontinuance by the City Clerk.

26. For the future Specific Implementation Plan, an approved addressing plan will be necessary for the apartment buildings. Submit a site plan and a complete set of building floorplans (for each individual building) in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of an interior and building addressing plan for the proposed multi-building complex. Each building page should include a key locator and north arrow. Also, include a unit matrix for the apartment buildings. 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 Verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. 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.
27. Dedicate additional right of way along Maple Grove Drive or grant a public sidewalk and bike path easement(s) to the City on the face of the pending Certified Survey Map as required by Traffic Engineering or City Engineering.
28. Provide for review the necessary private sanitary sewer lateral easement over the proposed western lot to serve the proposed eastern lot. The document shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
29. The Declaration of Easements per Document No. 5219549 shall be amended to divide the responsibilities of the current lot into the two new lots proposed by this proposed development.
30. The existing Drainage Easement per Document No. 5219396 shall be amended to acknowledge the new lots and the drainage between them. The Storm water management agreement per Document No. 4919917 that regulates the main basin may require amendment dependent on the management of storm water plans in conjunction with this development.
31. With the split of the parcel into two lots, 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 or early start permit.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

32. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Maple Grove Drive.
33. The applicant shall work with Metro Transit and Traffic Engineering on determining final geometrics for bus pullout area, work to be completed with City Engineering developer's agreement.
34. The applicant shall prepare a Traffic Demand Management Plan (TDMP) to be reviewed and approved by the City Traffic Engineer.
35. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
36. 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.
37. 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.
38. All parking facility design shall conform to the standards in MGO Section 10.08(6).
39. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
40. 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.
41. 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.
42. 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.

43. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
44. Parking stalls that are located next to a sidewalk shall have a barrier between the stall and the sidewalk or a three-foot minimum buffer to serve as protection for any pedestrians.
45. "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.
46. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
47. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off.
48. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the public right of way on Maple Grove Drive and McKee Road will be granted for construction purposes. Provide a detailed construction plan to the Traffic Engineering Division for review by the Traffic Control Specialist (Mike Duhr) prior to final sign-off.

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

49. Work with Zoning and Planning staff to finalize the GDP Zoning text, including a description of the proposed land uses, their dimensions, bulk, height, scale and massing, and other relevant standards.
50. Present the development density, height, floor area, and dimensional requirement for the lots or building sites as a range.
51. Submit a schedule or phasing plan indicating the approximate dates when construction of the Planned Development can be expected to begin and be completed.

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

52. Provide fire access in accordance with MGO Section 34 and the IFC.
53. Coordinate addressing with City Engineering. Based on current layout, the Madison Fire Department expects the buildings will be addressed off of Mader Drive.

Parks Division (Contact Ann Freiwald, (608) 243-2848)

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 Park-Infrastructure Impact Fee district. Please reference ID 10127.2 when contacting Parks Division staff about this project.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

55. Plan set needs to include a utility plan.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

56. As identified on the plans submitted for review, Metro Transit recommends that in coordination with any public works improvements, the applicant construct a new bus stop pullout lane and concrete boarding pad surface on the west side of Maple Grove Drive south of McKee Road so that buses can safely exit the active vehicle travel lanes for the time needed to actively load or unload passengers at this signalized intersection, specifically new riders anticipated at this intersection due to the creation of multi-family residential units on this previously undeveloped land. This bus stop pullout lane and concrete boarding pad surface would replace the current curbside bus stop zone that occupies the active travel lanes on this street.

57. As identified on the plans submitted for review, the applicant shall install and maintain a new passenger waiting shelter with seating amenity, either as part of the private landscape plan or in the public right of way area. If located in the public right of way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact the City's Office of Real Estate Services to start the Privilege in Streets (Bus Shelter) application process. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

58. The existing curbside bus stop zone and accessible pedestrian sidewalk and terrace area on the west side of Maple Grove Drive, south McKee Road, provide critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zone in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff - in order to create an alternate bus stop zone that would serve the Maple Grove Drive at McKee Road intersection area in a comparable operational and accessible manner.

City Forestry Section (Contact Brandon Sly, (608) 266-4816)

59. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

60. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include

the notification of the alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.

61. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
62. As defined by the Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing.
63. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
64. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
65. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
66. Additional street trees are needed for this project. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*: All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.