



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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December 17, 2013

Randy Bruce  
Knothe and Bruce Architects, LLC  
7601 University Ave. Ste 201  
Middleton, WI 53562

RE: Approval of a conditional use for the construction of a mixed-use building with ground floor commercial space and 22 residential units in the TE zoning district.

Dear Mr. Bruce:

At its December 16, 2013 meeting, the Plan Commission found the standards met and **approved** your client's conditional use request for construction of a new mixed-use building on Lot 4 of the Royster Corners Plat, also approved on December 16, subject to the conditions below. In order to receive final approval of the conditional use, and for any necessary permits to be issued for your project, the following conditions shall be met:

**Please contact my office at 266-5974 if you have any questions regarding the following 9 items:**

1. Final plans submitted for staff review and approval shall include detailed plans for the area between Cottage Grove Road and the building including landscaping and amenities such as bicycle parking and seating.
2. On final elevations submitted for staff review and approval, the applicant shall either:
  - a) Replace the exterior materials on the building element clad in prairie stone and corrugated metal with brick, consistent with the rest of the building; or
  - b) Further differentiate this element from the rest of the building with a significant entrance or a deeper inset, to allow space for elements such as bicycle parking and/or a seating area.
3. To ensure consistency with the Royster-Clark Special Area Plan regarding first floor storefront design, requirements in Section 28.060(2)(d)1 and 2 of the zoning code shall apply to this property as follows:
  1. *Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings.*
  2. *Displays may be placed within windows. Equipment within buildings shall be placed a minimum of five (5) feet behind windows. To preserve views, within three (3) feet of any window, not more than thirty percent (30%) of the view through the windows shall be blocked by merchandise, displays, shelving, or other obstructions.*
4. Any HVAC systems visible on the exterior of the building shall not face the public streets.
5. Revised landscape plans shall be consistent with the site plan and elevations, and shall meet all zoning requirements. Prior to the final submittal for staff review and approval, the applicant shall coordinate the revisions to this landscape plan with the landscape plans on the other two sites proposed for development at this time. The final submittal shall include a coordinated landscape plan including all three sites, for review by staff.

6. Final plans and elevations submitted for staff review and approval shall be internally consistent with a front setback between five and fifteen feet, a consistent number and placement of building entrances, and building modulations. Private sidewalks shall be provided to link the public sidewalk to all building entrances.
7. Final plans submitted for staff review and approval shall include detailed interior layouts for the residential units.
8. Note: Future ground floor commercial uses may be subject to conditional use approval in the Traditional Employment District (see MGO Section 28.082, Table 28-F1 for details).
9. Prior to final submittal, the applicant shall continue to work with staff on the improvement of site plans. *(Note: This condition was added by the Plan Commission on December 16, 2013, following a discussion about improving the convenience of bicycle parking facilities).*

**Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 8 items**

10. Pursuant to Sec 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.
11. Provide a minimum of 25 bike parking stalls for the residential component of the project. Bike parking shall be located in a safe and convenient location on an impervious surface subject to section 28.141(11) to be shown on the final plan. Bike parking for the commercial/retail component of the project shall comply with the requirements in sec. 28.141(4)(g) and 28.141(11). Provide a detail of the proposed bike rack.
12. Pursuant to Sec. 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.
13. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
14. Parking requirements for persons with disabilities must comply with Sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.
15. Provide details on calculations for lot coverage as defined in Sec. 28.211.
16. Since the commercial uses have not yet been determined at this time, the parking requirement for the commercial uses in the building cannot be calculated at this time. Parking requirements for future tenants shall be calculated at the time building permits for occupancy are requested.
17. Provide detail on the usable open space as defined in Sec. 28.211 that complies with Sec 28.140 on the final plan sets.

**Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following 26 items:**

18. Modify the site plans to reflect the current proposed street names and lot numbers for the Royster Corners Plat.

19. Elevation drawings show five entrances along Cottage Grove Rd and one entrance along Royster Oaks Dr. All other site drawings show four entrances and no entrance along Royster Oaks Dr. The plans shall be revised to address the discrepancy.
20. This Lot (Lot 4 of proposed Royster Corners) requires access over Lot 5 adjacent to the north. Also, Lots 2 and 3 to the east will have access rights over and across the same areas on Lot 5. A Common Access Easement/Agreement between Lots 2, 3, 4 and 5 of the proposed plat of Royster Corners shall be drafted, executed and recorded prior to plan sign off.
21. Lots 1-5 of the proposed Royster Corners plat appear to be dependent on each other for overland and subsurface stormwater drainage. A private Storm Sewer/Drainage Easement/Agreement for all lots with shared drainage shall be drafted, executed and recorded prior to plan sign off.
22. The final plat of Royster Corners shall be recorded prior to issuance of any building permit(s).
23. Sanitary sewer elevations on the lot plan will be required to match the City issued plans. Applicant will be required to confirm invert elevations prior to setting final building foundation elevations.
24. The interior streets and infrastructure for the Royster Corners Plat is proposed to be constructed by a public works contract administered by the City in 2014. The Applicant and his/her contractor shall coordinate and agree to work cooperatively with the City during the construction of the public infrastructure. Furthermore, the Applicant understands that the City shall have easement rights for grading and construction over all the lots within the proposed plat until such time as the public works construction is completed.
25. Any damage to the public infrastructure including sidewalk, curb and gutter, street, pavement, and public utilities resulting from the construction of this development shall be the Applicant's responsibility to repair.
26. The Engineering Division will coordinate the design of the streets and public infrastructure for the public right of way adjacent to this project. The site plans will not be signed off until the final design plans for street, sidewalk and public utilities are completed. The site plans shall be modified to reflect the design grades and layout as provided by City Engineering.
27. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
28. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
29. Submit a PDF of all floor plans to [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
30. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
31. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
32. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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 7.5-tons per acre per year.
33. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the

Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). 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).

34. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building (POLICY).
35. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to provide oil and grease control from the first ½" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

36. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. 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 (POLICY).
37. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain 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) All Underlying Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words "unplatted"
  - h) Lot/Plat dimensions
  - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file (POLICY and MGO 37.09(2) & 37.05(4)).

38. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). 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) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)
39. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work (MGO 10.05(6)) and MGO 35.02(4)(c)(2)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
40. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan (POLICY).
41. 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>.
42. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) 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)).
43. 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).

**Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following 4 items:**

44. The applicant shall submit one contiguous plan 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.
45. 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.
46. 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.
47. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Please contact Kay Rutledge, Parks Division, at 266-4714 if you have questions regarding the following 3 items:**

48. The developer shall pay approximately \$51,774.80 for park dedication and development fees for the new 22 MF units proposed on Lot 2 (Lot 4 of the revised Royster Corners Plat). The park dedication requirement for a multi-family unit equals 700 square feet per dwelling unit. The fee in lieu of parkland dedication for multi-family units is \$1,708.00 per unit in 2013. The park development fee for a multi-family unit in 2013 is \$645.40 per dwelling unit. Park impact fees are adjusted on January 1 of each calendar year, and the park

impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

49. The developer must select a method for payment of park fees before signoff on this conditional use. This development is within the Olbrich Park impact fee district (SI25). Please reference ID# 13123.1 when contacting Parks Division staff about this project.
50. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

**Please contact Dennis Cawley of the Water Utility at 266-4651 if you have questions regarding the following item:**

51. The property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please contact Bill Sullivan of the Fire Department at 261-9658 if you have questions regarding the following item:**

52. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No building permits shall be issued until the applicant has met all of the conditions of approval stated in this letter.**

**Please now follow the procedures listed below for obtaining your conditional use permit:**

1. Please revise the plans per the above conditions and file **nine (9)** sets of complete, fully dimensioned, and to-scale plans, along with the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Also provide any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
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. This approval shall become null and void one year 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 months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining the demolition or conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

cc: Janet Dailey, City Engineering Division  
Jeff Quamme, City Engineering Division  
Pat Anderson, Asst. Zoning Administrator  
Eric Halvorson, Traffic Engineering  
Kay Rutledge, Parks Division

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use permit.

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

\_\_\_\_\_  
*Signature of Property Owner, if not Applicant*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<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 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: