



Department of Planning & Community & Economic Development

## Planning Division

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November 30, 2016

Randy Bruce  
Knothe & Bruce Architects, LLC  
7601 University Ave.  
Middleton, WI 53562

RE: Approval of a Zoning Map Amendment to rezone the project site from PD-GDP to PD-SIP to construct a four-story multi-family residential building at **489 Commerce Dr.**

Dear Mr. Bruce:

At its November 21, 2016 meeting, the Plan Commission **forwarded** your request to rezone the project site from PD-GDP to PD-SIP to the Common Council with a recommendation of approval. **Please note that final approval of the rezoning request is subject to review and consideration by the Common Council at its December 6, 2016 meeting.** In order to receive final approval of the PD-SIP and for any necessary permits to be issued, the following conditions must be met:

**Please contact my office at 267-8733 if you have questions regarding the following three (3) items:**

1. The Applicant shall provide amended Zoning Text to reflect the multi-family residential use and modify the height section of the Zoning Text to reflect the increased building height for the building located at the northeast corner of Watts Road and Commerce Drive at four stories.
2. The Applicant shall continue to work with Planning Division Staff to improve the landscape plan to provide additional canopy trees in the parking area and additional plantings along blank wall expanses, and for better integration of the detention pond into the site design as an amenity in conjunction with improving the at-grade passive open space provided on site.
3. A note shall be placed on the building plans and in the Zoning Text stating that the proposed residential use will be designed so that traffic-induced interior noise levels will not exceed 52 decibels.

**Please contact Tim Troester, City Engineering, at 267-1995 if you have questions regarding the following fifteen (15) items:**

1. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3

or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

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

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

2. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and Section 37.09(2), MGO). PDF submittals shall contain the following information:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Stormwater Management Facilities
- k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

3. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
  - a) SLAMM DAT files
  - b) RECARGA files
  - c) TR-55/HYDROCAD/Etc
  - d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided. (POLICY and MGO 37.09(2)).
4. The Applicant shall submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.
5. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hr, 100-yr design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
6. The Applicant shall demonstrate compliance with Sections 37.07 and 37.08, MGO regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
7. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line:  
<http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).
8. Prior to approval, this project shall comply with Chapter 37, MGO regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm

events, matching post development rates to predevelopment rates.

9. Prior to approval, this project shall comply with Chapter 37, MGO regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
10. Prior to approval, this project shall comply with Chapter 37, MGO regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37, MGO.
11. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37, MGO.
12. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right-of-way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing-off on this development (POLICY).
13. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
14. All work in the public right-of-way shall be performed by a City licensed contractor (Sections 16.23(9)(c)(5) and 23.01, MGO).
15. All damage to the pavement on Commerce Dr & Watts Rd, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).

**Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following five (5) items:**

1. The Applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
2. 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.

3. 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.
4. All parking facility design shall conform to Section 10.08(6), MGO.
5. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator at 266-4429 if you have questions regarding the following five (5) items:**

1. Reconfigure the first floor accessible stall and access aisle or the bicycle stalls immediately adjacent the access aisle to prevent bicycles from encroaching into the access aisle. The access aisle must remain clear of obstructions including bicycles.
2. The Applicant shall submit a detail of the proposed ground mounted and wall mounted bicycle racks.
3. The Applicant shall submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d), MGO.
4. Per Section 28.186(4)(b), MGO, 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.
5. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31, "Sign Codes," MGO, and Chapter 33, "Urban Design District" ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

1. Coordinate official building addresses with City Engineering.

**Please contact Janet Schmidt, Parks Division, at 266-4714 if you have any questions regarding the following two (2) items:**

1. Park impact fees (comprised of the Park Development Impact Fee per Section 20.08(2), MGO and the Parkland Impact Fee in-lieu of land dedication per Sections 16.23(8)(f) and 20.08(6), MGO) will be required for all new residential development. The developer must select a method for payment

of park fees before sign-off on the rezoning. This development is within the Elver impact fee district (SI37). Please reference ID# 16147 when contacting Parks about this project.

2. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

**Please contact Jeff Quamme, City Engineering Review Mapping, at 266-4097 if you have questions regarding the following five (5) items:**

1. The proposed lot line adjustment requiring a Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
2. The site plan shall also reference the Declaration of Private Storm and Sanitary Sewer Easement per Document No. 4248057.
3. Provide the recorded copy of the proposed private stormwater management easement that will amend/revise Doc No. 4248056.
4. Homewood Way was never approved for a private named drive. It shall be removed from the site plan. Homewood is an existing name elsewhere in the City and therefore is not approved for a private street/named Drive.
5. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

**Specific questions regarding the comments or conditions 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.**

**For obtaining your conditional use, please follow the procedures listed below:**

1. Please revise your plans per the above conditions and submit eight (8) copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. This submittal shall all also include one complete digital plan set in PDF format. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206, MGO, and any other documentation requested herein by the Zoning Administrator, located at 126 S Hamilton St., Madison, WI 53701. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for final approval.

2. 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.
3. This letter shall be signed by the Applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
4. The approval is valid for one (1) year from the date of the Common Council approval unless construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Common Council's approval, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date.

If you have any questions regarding obtaining your conditional use, or building permits, 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 267-8733.

Sincerely,



Jessica Vaughn, AICP  
Planner

- cc: Tim Troester, City Engineering  
Eric Halvorson, Traffic Engineering Division  
Jenny Kirchgatter, Zoning  
Bill Sullivan, Fire Department  
Janet Schmidt, Parks Division  
Jeff Quamme, City Engineering Review Mapping

I hereby acknowledge that I understand and will comply with the above conditions of approval for the conditional use.	
_____	
<i>Signature of Applicant</i>	
_____	
<i>Signature of Property Owner (if not the applicant)</i>	

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Vaughn)	<input checked="" type="checkbox"/>	Zoning Administrator
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Engineering Mapping Sec.	<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: