



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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Madison, Wisconsin 53703  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

**\*\*BY E-MAIL ONLY\*\***

April 17, 2020

Marc Ott  
JLA Architects  
800 W Broadway, Suite 200  
Monona, Wisconsin 53716

RE: Consideration of a conditional use for a multi-family dwelling with more than eight units in the Traditional Residential-Urban 1 (TR-U1) District; consideration of a conditional use—residential building complex in TR-U1 zoning; and consideration of a conditional use in the TR-U1 District for accessory outdoor recreation, all to construct eight townhouse buildings on a lot with 50 total units, an apartment block with 208 total units in four buildings, three apartment buildings on a lot with 24 total units, and a pool and clubhouse at 3840 Maple Grove Drive following recording of the FRED Maple Grove Drive plat. (LNDUSE-2020-00009; ID 59074)

Dear Mr. Ott;

On April 13, 2020, the Plan Commission found the standards met and **approved** your conditional use requests for a residential building complex at 3840 Maple Grove Drive. Prior to issuance of building permits for the project, the conditions of approval in the following sections shall be satisfied:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following seventeen (17) items:**

1. The applicant shall revise plans to match the plans for the public improvements that the City has designed prior to plan approval. City Project #12310 FRED/Maple Grove and #12694 Rockstream Drive are the City plans of interest. Matt Allie, [mallie@cityofmadison.com](mailto:mallie@cityofmadison.com), (608) 266-4058, is the contact for the proposed City storm and sanitary sewer improvements for this site.
2. Make all improvements to right of ways as required in conditional approval of the FRED Maple Grove Road Plat.
3. 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 (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. An Erosion Control Permit is required for this project.

5. 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.
6. This development contains or is adjacent to facilities of MMSD. Prior to approval, provide evidence that MMSD has reviewed and approved the proposed development.
7. 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-hour, 100-year design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin PE 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 PE or licensed Plumber that show this requirement has been met.
8. The stormwater management plan is required to demonstrate how to safely pass 100-year storm event in public right of way and easements and safely pass 500-year storm event without damage to any buildings or structures.
9. The applicant will be required to record a deed restriction against lots that are identified to have critical elevations. The deed restriction will restrict the minimum building opening elevation to help mitigate against potential flooding.
10. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11 x 17-inch 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.
11. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.
12. 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 Wisconsin Department of Natural Resources (WDNR), Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
13. 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 the City Engineering Division at 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

14. 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.

15. Prior to approval, this project shall comply with MGO Chapter 37 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 the City Engineering Division. 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))

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.

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.

16. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.

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

**Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following three (3) items:**

18. Remove the planned sign from the public utility easement on future Lot 1 at the intersection of Manchester Drive and Maple Grove Drive. Also, the planned shade trees within public utility Easements shall be removed from the easement areas or written permission provided by the Electric, Gas and Communications Utilities that the trees shall be permitted within the easements.

19. The pending final plat for this property shall be completed and recorded with the Dane County Register of Deeds, 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.
20. Submit a floorplan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan for each floor on a separate sheet for the development of a complete building and interior addressing plan. 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 submittal of the final Site Plan Approval application with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Addressing 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 266-5987 if you have any questions regarding the following fifteen (15) items:**

21. The parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO Section 10.08, the applicant can expect to be required to make major alterations, which may or may not impact structural elements of this site.
22. The applicant shall relocate their Northwesternmost Rockstream Drive driveway to a more suitable location to be approved by Traffic Engineering. The driveway, as it is currently shown, is not approvable due to its location on the curve.
23. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
24. 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.
25. 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.
26. All parking facility design shall conform to the standards in MGO Section 10.08(6).

27. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
28. 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.
29. Per MGO Section 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.
30. 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.
31. 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.
32. The driveway slope to the underground parking is not identified in the plan set. Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
33. "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.
34. 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.
35. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:**

36. A Water Service Application Form and fees must be submitted (for each lateral) before connecting to the existing water system. Provide at least two working days' notice between the application

submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following six (6) items:**

37. Submit revised plans showing compliance with required setbacks.
38. Clearly show the useable open space areas on the final plans. In addition to showing structured useable open space at roof decks, porches, and balconies, identify each qualifying at-grade usable open space area on the final plans. Roof decks, porches, and balconies may be used to meet up to 75% of the minimum open space requirement, provided that minimum dimensional requirements are satisfied.
39. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 90% for Lots 1 and 3, and 75% for Lot 2. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five feet, pervious pavement, green roofs and decks.
40. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
41. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building.
42. 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.

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

43. Provide fire apparatus access as required by IFC 503 2015 edition, MGO Section 34.503. Provide a fire lane that extends to within 250 feet of all exterior portions of the structure since the buildings will be protected with a fire sprinkler system. The site plans shall clearly identify the location of all fire lanes. Fire access lanes may need to be coordinated with other City requirements/expectations.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following item:**

44. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City- Developer agreement. Applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See Engineering Division comments for additional information.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following three (3) item:**

45. 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# 19015.1 when contacting Parks Division staff about this project. The applicant may enter into a development agreement for the park infrastructure improvements in lieu of paying Park impact fees.
46. The applicant shall execute a declaration of conditions and covenants along with an impact fee schedule for the Park Impact Fees for this development. This document will be recorded at the Register of Deeds. The applicant shall be responsible for all recording fees.
47. Outlot 6 of the conditionally approved FRED plat currently meets the required parkland dedication for this project.

**Please contact Brad Hoffman of the Parks Division–Forestry Section at 267-4980 if you have any questions regarding the following three (3) items:**

48. City Forestry will issue a removal permit for all trees within the right of way due to grade changes and sidewalk installation within the unmaintained field edge along Maple Grove Drive. Please contact City Forestry at 266-4816 to obtain the street tree removal permit.
49. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.

50. 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 Janine Glaeser, Urban Design Commission Secretary, at 267-8740 if you have any questions regarding the following four (4) items of the Urban Design Commission *initial* approval of the residential building complex. The project shall obtain final approval from the UDC prior to final staff approval of the plans and issuance of permits.**

51. Show where gutters and downspouts will be located on the buildings.

52. Simplify roof forms, with more detail on the roof forms to be provided for final approval.

53. A strong suggestion to use a slightly better building material in lieu of vinyl siding, with more detail on the final materials to be provided for final approval. If vinyl is proposed, require that it be a stronger vinyl material, used in short spans, and more detail is provided on material profile, thickness, and transitions.

54. Simplification of the site plan with changes to parking and increase of landscaping, particularly in the courtyard and islands.

**Please contact my office at 261-9632 if you have questions about the following two (2) items:**

55. The final site plan shall clearly label the number of units proposed per lot and building, and include a single data table for the overall development that includes the acreage of the complex, and the number of dwelling units, auto parking stalls (garage and surface) and bike parking stalls (indoor and surface) per lot and overall.

56. Detailed floorplans shall be provided with the final plans, which shall include labels with the number of bedrooms and type of dwelling unit.

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

**Please now follow the procedures listed below for obtaining permits for your project:**

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to [Zoning@cityofmadison.com](mailto:Zoning@cityofmadison.com). (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.



3. 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]
  
4. 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 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 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 permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

TIMOTHY M. PARKS  
Planner

cc: Tim Troester, City Engineering Division  
Jeff Quamme, City Engineering Division  
Sean Malloy, Traffic Engineering Division  
Jenny Kirchgatter, Asst. Zoning Administrator  
Adam Wiederhoeft, Madison Water Utility  
Sarah Lerner, Parks Division  
Janine Glaeser, Urban Design Commission  
Bill Sullivan, Madison Fire Department

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

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

\_\_\_\_\_  
*Signature of Property Owner  
 (If Not Applicant)*

<b>LNDUSE-2020-00009</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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: