

Department of Planning & Community & Economic Development

#### **Planning Division**

Heather Stouder, Director

Madison Municipal Building, Suite 017 215 Martin Luther King Jr. Boulevard Madison, Wisconsin 53703 Phone: (608) 266-4635 www.cityofmadison.com

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

July 17, 2020

Sean Roberts Summit Smith Development 241 N Broadway, Suite 400 Milwaukee, Wisconsin 53202

RE: Approval of a Planned Development–Specific Implementation Plan (PD(SIP)) to allow construction of a six-story mixed use building with 10,000 square feet of commercial space and 189 apartments on Lot 3 of Madison Yards at Hill Farms at 702 Gardener Road. (LNDUSE-2020-00033; ID 60243)

Dear Mr. Roberts;

On July 14, 2020, the Common Council **conditionally approved** your request to approve an PD(SIP) for 702 Gardener Road to allow construction of a mixed-use building on Lot 3 of Madison Yards at Hill Farms. The approval is subject to the conditions in the following sections, which shall be satisfied prior to final approval and recording of the Specific Implementation Plan and the issuance of building permits for the project.

### Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following twenty-three (23) items:

- A developer agreement is required for the public improvements to serve this project. City Engineering
  prefers one developer agreement for all the required improvements and easements necessary for the
  Madison Yards at Hill Farms development. Alternately, if needed due to phasing, one main developer
  agreement can be completed for the majority of the required public improvements and easements
  and additional developer agreements can be used for any improvements that must wait for specific
  lot development.
- 2. As a result of the previous sewer lateral connection in the intersection of Gardener Road and Madison Yards Way, the applicant shall plug the sewer lateral previously installed out of the northwest corner of the structure. Because of the lack of space between the sewer lateral and sewer main connections on the northwest side of the structure (12 inches of structure required), this manhole structure is no longer structurally sound and will need to be removed and replaced.
- 3. There is significantly more sanitary sewer capacity on Madison Yards Way than on Gardener Road. The applicant shall plan to install a sanitary sewer lateral connecting to the sewer main on Madison Yards Way.

- 4. This development has a private internal drainage system and multiple underground garage, the developer shall model the 100-year event across the site and show how the event shall be discharged to the right of way and at what depth the water shall rise to within the development. This depth shall be used to set a minimum entrance elevation for structures (including entrances to underground parking).
- 5. Record deed restrictions on lots for lowest entrance elevations as required, resulting from the flood analysis completed by the developer.
- 6. Provide updated (final) stormwater management plan for the Madison Yards at Hill Farms development and provide a stormwater phasing plan to show how each lot is being served for stormwater management requirements either up front with the initial installation of the stormwater management improvements or any phased installations. Stormwater management measures must be in place prior to development on a specific lot or as part of said lots development.
- 7. Prior to approval, this project shall comply with Chapter 37 of 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:

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))

Rate Control: This development shall reduce the peak discharge by 15% compared to existing condition during the 10-year event.

Lots 3 and 6 have no requirement for green infrastructure or requirement to reduce volume off the site compared to existing conditions, however the Developer has been made aware that future blocks within this larger development shall be required to meet the redevelopment standards contained in the proposed updates of MGO 37. The Developer may choose to address these requirements partially or fully on common areas within the larger development and should this be the case the inter-lot agreement shall be amended to document this and this agreement shall be approved by City Engineering and recorded at the Dane County Register of Deeds.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first half-inch of runoff over the proposed parking facility and/or drive up window. 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.

- 8. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
- 9. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
- 10. A Storm Water Management Report and Storm Water Management Permit is required for this project.
- 11. A Storm Water Maintenance Agreement (SWMA) is required for this project.
- 12. 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 Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
- 13. 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.
- 14. 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.
- 15. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
- 16. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
- 17. This project will disturb 20,000 square feet or more of land area and requires 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, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
- 18. 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.

- 19. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
- 20. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
- 21. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.
- 22. 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.
- 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).

## Please contact Jeff Quamme of the City Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following six (6) items:

- 24. The applicant shall complete and record the Declaration of Covenants, Reservations, Restrictions and Easements for Madison Yards at Hill Farms providing private reciprocal easements, restrictive covenants and agreements addressing, but not limited to, pedestrian/vehicular access, parking, private utilities, common areas (including the Central Green), storm drainage, storm sewer and storm water management that are necessary to accomplish the development as proposed. The drafts shall be provided prior to recording. They shall be recorded prior or simultaneous with Specific Implementation Plan (SIP) approval. Note that the most recent draft references a condominium that splits the lot into different areas. Therefore, there may be the need to declare the condominium prior to recording this required covenant.
- 25. The three ornamental trees shown within the right of way of University Avenue at the northeasterly corner of this site shall be removed from the public right of way.
- 26. The critical easement area per Document No. 5476562 provides for the vehicular ingress and egress to the west over State Owned lands and provides for the installation of the electrical equipment to be installed as shown. The applicant shall be aware an easement/agreement may require an additional agreement with the utility providers and the state for the actual installation of the facilities.
- 27. The address of commercial tenant # 1 is 4738 Madison YardsWay. The address of commercial tenant # 2 is 4732 Madison YardsWay. The address of commercial tenant # 3 is 4726 Madison YardsWay. The address of commercial tenant # 4 is 4720 Madison YardsWay. The address of commercial tenant # 5

- is 4714 Madison Yards Way. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 28. Submit a floorplan in PDF format to Lori Zenchenko (Izenchenko@cityofmadison.com) that includes an overall floor plan for each floor on a separate sheet for the development of a complete 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 application submittal for the final Site Plan Approval 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 Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.
- 29. Correct the street name spelling for Segoe Rd to N Segoe Road on all appropriate sheets.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following twenty (20) items, including the condition modified by the Common Council on July 14 (#31):

- 30. Due to the proposed development's scale and density and significant negative impacts to the surrounding transportation network, potentially limiting the redevelopment of future site(s) adjacent the same transportation network, stronger consideration for multi-modal transportation must be addressed. Additionally, the community values multi-modal transportation, as demonstrated in the community's Complete Streets Policy and the Madison in Motion Transportation Plan. Madison is regarded as one of the most walkable communities and enjoys the status as a Platinum Bicycle City. Traffic Engineering requires additional improvements to the surrounding transportation network to help facilitate the movement of all modes of transportation to/from this site including:
  - •The developer shall install traffic calming devices, such as tabletops, raised crossings and bumpouts at strategic locations across the site, to improve the walkability and the biking environment throughout the site.
  - The developer shall install sidewalks with minimum width of 10 feet on proposed internal streets, as shown in Figure 11 in the recorded General Development Plan.
- 31. The applicant shall continue to work with the Traffic Engineering Division on finalizing their Traffic Demand Management Plan (TDMP), which is intended to be a continuing conversation between this development and the City with the mutually beneficial goal of reaching a reduction in single occupant vehicle trips. A critical component to understanding which TDMP measure(s) are not only successful but economically sustainable is the collection of data on those measures. As such, the applicant shall perform an engineering study and mode share survey, on an annual basis, for a minimum of five years (after which the frequency may be reduced by Traffic Engineering to a frequency of no less than every four years); approval of methodology to be approved by the City Traffic Engineer; and the mode share survey shall be presented on an annual basis to the Transportation Policy Planning Board. The TDMP shall be approved prior to signoff of the SIP.

- 32. Note: The applicant shall be responsible for the extension of the Westbound Left Turn Lane at University-Segoe with the SIP approval for Block 2 of Madison Yards.
- 33. Note: The applicant shall be responsible for making improvements to Sheboygan Avenue with the SIP approval for Block 1 of Madison Yards.
- 34. 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.
- 35. 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.
- 36. 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.
- 37. All parking facility design shall conform to the standards in MGO Section 10.08(6).
- 38. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
- 39. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering staff to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) (ascheib@cityofmadison.com), Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
- 40. 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.

- 41. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
- 42. The applicant shall provide a clearly defined five (5)-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheelchair 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.
- 43. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
- 44. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.
- 45. 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.
- 46. All parking ramps as they approach a private street shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the right of way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
- 47. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
- 48. The applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
- 49. 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 University Avenue 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 signoff.

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

- 50. Show the University Avenue setback distances and the width of the façade on the plans. At least 20% of the University Avenue building façade must be setback a minimum of 15 feet.
- 51. On the third floor plan, show the University Avenue stepback distance. On University Avenue, a minimum of 75% of the building façade, above two (2) stories, will be stepped back a minimum of ten (10) feet from the property line.

- 52. Provide a calculation for useable open space in the final plans. The General Development Plan for Madison Yards at Hill Farms Section N, Usable Open Space requires a minimum of 40 square feet of useable open space per residential unit. Roof decks, porches, and balconies may be used to meet up to 100% of the minimum useable open space requirement, provided that minimum dimensional requirements are satisfied.
- 53. Provide an automobile parking, accessible parking, and bicycle parking summary for the proposed Block 3 mixed-use building. Provide a dwelling unit summary with the numbers and types of dwelling units per floor.
- 54. Bicycle parking for the residential units shall comply with the requirements of Sections 28.141(4)(g) and 28.141 (11). A minimum of 189 resident bicycle stalls are required plus a minimum of 19 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Show the numbers of bike stalls and dimensions of the bike stalls and access aisles within the bicycle storage rooms. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Submit a detail showing the models of bike racks, including wall mount or structured bike racks, to be installed.
- 55. 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.
- 56. 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.
- 57. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following item:

58. Stair 1 does not discharge to the exterior or a lobby with clear vision of the exterior as required by the IBC. Discharging the exit back into the parking garage is not compliant.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following three (3) items:

- 59. The developer shall construct the public water distribution system and services required to serve the proposed development per MGO 16.23(9)(d)(3).
- 60. 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.

61. A Water Service Application Form and fees must be submitted 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 <a href="http://www.cityofmadison.com/water/plumbers-contractors">(http://www.cityofmadison.com/water/plumbers-contractors</a>), 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. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.

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

62. 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# 18101.1 when contacting Parks Division staff about this project.

## Please contact my office at (608) 261-9632 if you have questions about the following four (4) items, including the conditions added or modified by the Common Council on July 14 (#63 and 66):

- 63. That the transportation demand management plan (TDMP) dated June 24, 2020 be approved to meet the 30% single-occupant vehicle (SOV) trip reduction goal in the general development plan approval, as determined by the City Traffic Engineer. The applicant shall receive final approval of the Transportation Demand Management Plan by the City Traffic Engineer and Director of the Planning Division prior to approval of final plans and issuance of building permits.
- 64. Prior to final approval and issuance of building permits, the final Specific Implementation Plan for Lot 3 shall be revised to include a breakdown of the 189 dwelling units by type and a final count of the automobile and bicycle parking proposed to serve the building.
- 65. That the final plans demonstrate how the minimum 40 square feet of usable open space required per residential unit by the Madison Yards at Hill Farms General Development Plan.
- 66. That the sustainability measures in the applicant memo dated June 24, 2020 shall be shown on the final plans approved by the Planning Division prior to recording and issuance of permits for the project. This shall include making the project "solar ready" in terms of the infrastructure of the building, so that when the solar panels become economically feasible for the owner, they can be included without changes to the building structure, utility chases etc.

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**. (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.
- 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. Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.
- 4. This Planned Development approval shall expire five (5) years after the date of the Common Council approval of the Specific Implementation Plan. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.
- 5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may approve minor alterations that are approved by the Director of Planning and Community and Economic Development following consideration by the alderperson of the district, and which are compatible with the concept approved by the Common Council.

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

Timothy MParks

Planner

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

LNDUSE-2020-00033			
For Official Use Only, Re: Final Plan Routing			
	Planning Div. (T. Parks)	$\boxtimes$	Engineering Mapping Sec.
$\boxtimes$	Zoning Administrator	$\boxtimes$	Parks Division
$\boxtimes$	City Engineering	$\boxtimes$	Urban Design Commission
$\boxtimes$	Traffic Engineering		Recycling Coor. (R&R)
	Fire Department		Other: Forestry Section
$\boxtimes$	Water Utility		Other: Metro Transit