



PREPARED FOR THE PLAN COMMISSION

Project Address: 10009 Sweet Willow Pass; Lot 412, Western Addition to 1000 Oaks
Application Type: Conditional Use–Residential Building Complex
Legistar File ID # [61675](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Luke Stauffacher, Cascade Development; 5150 High Crossing Boulevard; Madison.
Contact Person: Greg Held, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

Requested Actions: Consideration of a conditional use for a multi-family dwelling with more than eight units in the Traditional Residential-Planned (TR-P) District; consideration of a conditional use–residential building complex in TR-P zoning; and consideration of a conditional use in the TR-P District for accessory outdoor recreation, all to construct 110 apartments in three buildings with a pool and clubhouse.

Proposal Summary: The applicant is requesting approval to construct three (3) three-story apartment buildings with a common pool and clubhouse on Lot 412 of the recently recorded Western Addition to 1000 Oaks plat. Parking for the multi-family development will be provided in 101 automobile parking stalls located beneath the three buildings and in 79 surface stalls. Parking for 122 bicycles is also proposed throughout the complex. The applicant wishes to commence construction of the complex in January 2021, with completion scheduled for August 2022.

Applicable Regulations & Standards: Table 28C-1 in Section 28.032(1) of the Zoning Code identifies multi-family dwellings with eight (8) or more units, residential building complexes, and outdoor recreation as conditional uses in TR-P (Traditional Residential–Planned District) zoning, subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Review by the Urban Design Commission of the residential building complex is required per Section 33.24(4)(c) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use–residential building complex with accessory outdoor recreation at 10009 Sweet Willow Pass subject to Urban Design Commission approval of the residential building complex, input at the public hearing, and the conditions from reviewing agencies beginning on page 6 of this report.

Background Information

Parcel Location: A 4.2-acre parcel located on the north side of Valley View Road, approximately 900 feet west of Sugar Maple Lane; Aldermanic District 9 (Skidmore); Madison Metropolitan School Dist.

Existing Conditions and Land Use: Undeveloped land, zoned TR-P (Traditional Residential–Planned District).

Surrounding Land Use and Zoning:

North: Future single-family residences in the Western Addition to 1000 Oaks subdivision, zoned TR-P (Traditional Residential–Planned District);

South: Undeveloped agricultural land and single-family residences on large parcels in the Town of Middleton;

East: 1000 Oaks subdivision, including future single-family residences in TR-C3 zoning and Thousand Oaks Park; single-family residence on a large parcel, zoned A (Agricultural District);

West: Future single- and two-family residences in the Western Addition to 1000 Oaks, zoned TR-P.

Adopted Land Use Plans: The 2018 [Pioneer Neighborhood Development Plan](#) identifies the subject site for development in Residential Housing Mix 3, which is recommended to include duplexes, four-units, townhouses, and large apartment buildings between two and four stories in height with densities between 20-40 dwelling units per acre.

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

Public Utilities and Services: The site will be served by a full range of urban services as it develops with the exception of Metro Transit, which does not currently provide service adjacent to the site. The proposed development is outside Metro Transit's paratransit service area. The closest bus stop with scheduled bus service is greater than two miles walking distance, and the units would be greater than the three-quarters of a mile regulatory distance from all-day service for passengers who might be eligible for door-to-door paratransit service.

Zoning Summary: The subject property is zoned TR-P (Traditional Residential–Planned District):

Requirements	Required	Proposed
Lot Area	600 sq. ft./unit + 300 sq. ft. per bedroom for greater than two bdrms. (66,000 sq. ft.)	182,416 sq. ft.
Lot Width	50'	486.8', existing
Front Yard	15'	16' from Sweet Willow Pass
Maximum Front Yard	30' or up to 20% greater than block average	
Side Yard	10'	11.8' West 71.46' East
Rear Yard	Street-accessed: 20'	36.8' from Valley View Road
Maximum Lot Coverage	75%	48%
Usable Open Space	140 sq. ft. per unit (15,400 sq. ft)	31,402 sq. ft.
Maximum Building Height	4 stories and 52'	3 stories; less than 52'
Building Form	Large Multi-Family Building	Complies with requirements
Number Parking Stalls	1 per dwelling (110)	79 surface, 101 underground (180)
Accessible Stalls	Yes	Yes

Number Bike Parking Stalls	1 per unit up to 2-bedrooms (110); 1 short term guest space per 10 units (11) = 121 total	12 surface, 110 underground = 122 total (See conditions)
Other Critical Zoning Items		
Yes:	Urban Design (Residential Building Complex), Barrier Free, Utility Easements	
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development , Adjacent to Park	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Previous Approvals

On April 16, 2019, the Common Council approved a request to rezone land generally addressed as 10024 Valley View Road from A (Agricultural District), TR-C3 (Traditional Residential–Consistent 3 District) and TR-P (Traditional Residential–Planned District) to TR-P and approved the preliminary plat of *Western Addition to 1000 Oaks*, creating 86 lots for single-family detached residences, four two-family dwelling twin-homes on eight fee simple lots (eight units), one lot for the future development of up to 110 multi-family units, one outlot to be dedicated to the public to expand Birchwood Point Park, two outlots to be dedicated for public alleys, two outlots to be dedicated to the public for stormwater management, and one outlot for future development. The Plan Commission recommended approval of the rezoning and plat and approved a demolition permit to demolish the single-family residence at 10024 Valley View Road at its March 25, 2019 meeting.

On July 2, 2019, the final plat of *Western Addition to 1000 Oaks* was approved by the Common Council. The final plat was re-approved on September 1, 2020 following expiration of the 2019 approval, and was recorded on September 16, 2020.

Project Description

The applicant is requesting approval of a conditional use for a residential building complex to allow construction of a three multi-family buildings that will contain a total of 110 units on Lot 412 of the recently recorded *Western Addition to 1000 Oaks* subdivision. The 4.2-acre subject site includes frontage along Valley View Road and Sweet Willow Pass, an east-west local street that extends between Sugar Maple Lane and Old Timber Pass, the primary access points into the 1000 Oaks and Birchwood Point developments. The western edge of the site is formed by a private alley that will serve future two-family dwellings located on the eastern edge of Blue Crane Run, a local street west of the subject site.

The three proposed apartment buildings will each stand three stories in height and will generally be organized around a central parking area accessed from Sweet Willow Pass. Building 1 is proposed as an “L”-shaped 38-unit building located in the northwestern corner of the site, which will primarily be oriented to the western property line. Building 1 will be connected to the 36-unit Building 2 through a two-story tall commons building proposed at the southwestern corner of the site, which will include an outdoor pool and deck. Building 2 will parallel the Valley View Road frontage of the site and include ground floor entrances to the units along the southern façade, which will be connected to the public sidewalk along Valley View. Building 3 of the complex will contain 36 units and be parallel to Sweet Willow Pass at the northeasterly corner of the subject site. The complex will include 12 studio units, 60 one-bedroom apartments, and 38 two-bedroom apartments. Parking for the multi-family development

will be provided in 101 automobile parking stalls located beneath the three buildings and in 79 surface stalls. Parking for 122 bicycles is also proposed throughout the complex. All automobile access to the site will be from Sweet Willow Pass; no access is proposed from Valley View Road or the private alley.

The buildings will be clad with a combination of cream-colored brick along the base, two-toned composite panels, and corrugated metal panels, and all of the buildings will have flat roofs.

The proposed residential building complex will be developed on a parcel characterized by a considerable amount of grade change from east to west across the site, with 45 feet of grade change from a high point along the eastern property line to the intersection of Sweet Willow Pass and the private alley. To accommodate the grade change, the applicant proposes an approximately 20-foot tall prairie grass hill between Buildings 2 and 3 and the eastern property line and a combination of grass slope and a retaining wall between Buildings 1 and 3 and the adjacent alley. The buildings and surface parking will be situated between these sloped areas.

Supplemental Regulations

Residential building complexes, which are defined as “a group of two or more residential buildings on a single parcel or tract of land, developed under single ownership and common management” are conditional uses in the TR-P zoning district and are subject to the following supplemental regulations in Section 28.151 of the Zoning Code (as applicable):

- (a) Recreational areas may be required to serve the needs of the anticipated population.
- (b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
- (c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.
- (d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (g) Shall be reviewed by the Urban Design Commission pursuant to Sec. 33.24(4)(c), MGO.
- (h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- (i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.

Outdoor recreation is defined as “a facility for outdoor conduct, viewing, or participation in recreational activities, which may include one or more structures...” including but not limited to swimming pools and similar such uses, which are subject to the following supplemental regulations in Section 28.151:

- (a) A minimum 25-foot setback area maintained as open space shall be provided along the perimeter of the site wherever it abuts a residential district.
- (b) If the use will be available to the general public, an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate shall serve the site. Ease of access to the site by

automobiles, transit, bicycles, and pedestrians shall be considered as a factor in the review of any application.

- (c) The site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.
- (d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

Analysis and Conclusion

The Pioneer Neighborhood Development Plan recommends that the subject site be developed in the Residential Housing Mix 3 (HM3) district. HM3 is recommended to consist of a mix of duplexes, four units, townhouses, and apartment buildings. Buildings in HM3 are recommended to be two to four stories in height, with densities between 20-40 dwelling units per acre recommended for individual development. Buildings in the HM3 district should be oriented to and front on adjacent streets and be designed to help define and enhance the public realm along the street edge. Parking should be provided behind or beneath the buildings, minimizing its visual impact on the neighborhood.

Planning staff believes that the proposed residential building complex is consistent with the above land use recommendations. The 110 multi-family units will result in a density of 26.2 units per acre on the 4.2-acre lot, which is consistent with the 20-40 unit density range for the HM3 district. Staff feels that the proposed buildings are well-designed and will accomplish many of the design-related recommendations in the neighborhood development plan, including ground floor dwelling units accessed from the abutting streets to activate Sweet Willow Pass and Valley View Road, and parking located below the buildings and at the center of the development and screened from surrounding streets and properties.

The Urban Design Commission reviewed the proposed residential building complex at its September 2, 2020 meeting and recommended *initial* approval subject to conditions. Final approval of the project by the UDC will be required prior to issuance of building permits for the residential buildings.

In closing, the Planning Division believes that the Plan Commission may find the conditional use standards and supplemental regulations met and approve the proposed residential building complex and accessory outdoor recreation requested by the applicant subject to the conditions in the following section.

Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use-residential building complex with accessory outdoor recreation at 10009 Sweet Willow Pass subject to Urban Design Commission approval of the residential building complex, input at the public hearing, and the conditions that follow.

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

Urban Design Commission

The following conditions were approved as part of the **initial approval** of the project on September 2, 2020. The project shall obtain final approval from the UDC prior to final staff approval of the plans and issuance of permits.

1. Include ground cover of the east side of the site, foundation plantings, and parking lot planting islands on the final plans.
2. Provide underside detailing and materials for the balconies on the final plans.
3. Provide details on the fencing, walls, or enclosure around the pool area on the final plans.
4. Provide a roof plan and more information on how the parapets return.

The following conditions of approval have been submitted by reviewing agencies:

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

5. The applicant shall coordinate with City issued plans (Project #12325) to make sure that the slope/elevation of the sewer laterals installed with street plans match up with the proposed apartment development. Contact Elia Acosta, eacosta@cityofmadison.com with questions.
6. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) in the right of way.
7. This development is subject to impact fees for the Lower Badger Mill Creek Sewer and Drainage improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. Add the following note on the face of the plans: "Lots/ buildings within this development are subject to impact fees that are due and payable at the time building permit(s) are issued."
8. 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.
9. 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.
10. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.

11. 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" 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.
12. Demonstrate compliance with MGO Section 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.
13. 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 Division approvals may be required prior to the issuance of the required Erosion Control Permit.
14. 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 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.
15. 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.
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 (East) or ttroester@cityofmadison.com (West).
18. The applicant shall coordinate any storm and sanitary lateral connections with the private development contract for the Western Addition to 1000 Oaks plat.
19. The discharge from the pool needs to be understood. If discharging to sanitary there are likely maximum discharge rates. If discharging to storm sewer a health permit for non-storm discharge is required.
20. The applicant shall enter into a maintenance agreement for the retaining wall that is proposed on the project.

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

21. The owner / applicant shall be responsible to coordinate and obtain any necessary permission from the utilities serving this subdivision for the over-story deciduous trees that are proposed within the Public Utility Easement along the southerly side of this site.
22. Building 1's address is 10025 Sweet Willow Pass; Building 2's address is 10009 Sweet Willow Pass; Building 3's

address is 10001 Sweet Willow Pass; the clubhouse address is 10017 Sweet Willow Pass. 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.

23. 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.

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

24. 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.
25. 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.
26. 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.
27. All parking facility design shall conform to the standards in MGO Section 10.08(6).
28. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
29. 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.
30. 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.

31. 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.
32. The developer shall provide a recorded copy of any joint driveway ingress/egress and cross-access easements, which shall be noted on face of plan.
33. In an effort to mitigate traffic impacts generated by this development, the Traffic Engineering Division recommends the applicant submit a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer prior to final signoff. As management of parking is a critical component in reducing traffic demands, Traffic Engineering recommends that the applicant unbundle parking as part of their plan.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

34. Bicycle parking shall comply with MGO Sections 28.141(4)(g) Table 28I-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 110 resident bicycle stalls and a minimum of 11 short-term guest stalls are required. Up to 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. 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 model of bike rack to be installed.
35. 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.
36. Submit detailed floor plans for the three proposed buildings, including a basement level plan for Building 1.
37. Submit rooftop plans 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).
38. Show the locations of the garage area wells on the basement floor plans, civil plans and landscape plan. Identify the locations of any proposed mechanical louvers on the building elevations.
39. 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.
40. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Code. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, 261-9658)

41. Provide additional information on the relationship of the commons area to the adjacent structures on the site and compliance with the IBC regarding construction as one, two, or three independent buildings.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

42. The developer shall construct the public water distribution system and services required to serve the proposed subdivision plat.
43. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide conditions of approval for this request.

Parks Division (Contact Sarah Lerner, 261-4281)

44. 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# 19006.1 when contacting Parks Division staff about this project.

City Forestry Section (Brad Hofmann, 267-4908)

This agency reviewed this request and has recommended no conditions of approval.