



Project Address: 310-402 Cottage Grove Road, 904 Dempsey Road, Generally Lot 4 on Revised Plat (Legistar ID #32131), Specifically

Application Type: Conditional Use

Legistar File ID # [32434](#)

Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Property Owner: Carl Ruedebusch; Ruedebusch Development; 4605 Dovetail Dr.; Madison, WI 53705

Project Contact: J. Randy Bruce; Knothe and Bruce Architects, LLC; 7601 University Ave. Ste 201; Middleton, WI 53562

Requested Action: The applicant requests approval of a conditional use for construction of a mixed-use building with 22 residential units in the TE (Traditional Employment) District, as part of a planned multi-use site.

Proposal Summary: The applicant proposes to construct a new 3-story mixed-use building with 9,900 square feet of ground floor commercial space and 22 residential units on upper levels. The proposal includes 28 underground parking stalls and 31 surface stalls. The site is part of a planned multi-use site with access from Royster Oaks Drive shared with the property immediately to the north (Legistar ID# [32435](#)).

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 28.183(6)).

Review Required By: Plan Commission (PC)

Summary Recommendation: Planning Division staff recommends that the Plan Commission find that the conditional use standards are met and **approve** the proposed mixed-use building as part of a planned multi-use site. This recommendation is subject to input at the public hearing and recommended conditions of approval from city agencies.

Background Information

Parcel Location: The subject property is located on the north side of Cottage Grove Road between Maher and Dempsey Roads, just east of the proposed Royster Oaks Drive; Traditional Employment (TE) District; Aldermanic District 15 (Ahrens); Madison Metropolitan School District.

Existing Conditions and Land Use: The 0.82-acre site is currently undeveloped.

Surrounding Land Use and Zoning:

North Undeveloped land in the TR-U2 (Traditional Residential – Urban 2) Zoning District, proposed for development with 80 residential units in a multi-family building with underground parking (See Legistar ID# [32435](#)).

East: Undeveloped land in the TE (Traditional Employment) Zoning District, with no development proposed at this time.

South: Across Cottage Grove Road, a mix of single and two-story residential and commercial uses in the CC-T (Commercial Corridor – Transitional) District.

West: Across the future Royster Oaks Drive, undeveloped land in the TR-U2 (Traditional Residential – Urban 2) Zoning District.

Adopted Land Use Plan: The Comprehensive Plan (2006) and Royster-Clark Special Area Plan (2009) recommend neighborhood mixed-use for this property.

Zoning Summary: TE (Traditional Employment) District.

Dimensional Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	35,742 sq. ft.
Lot Width	50'	220'
Front Yard Setback		4.5
Side Yard Setback	6'	6' + RS, 15' LS
Rear Yard	20'	adequate
Maximum Lot Coverage	85%	TBD
Usable Open Space	160 sq. ft. / unit = 3,520 sq. ft.	4,371 sq. ft.
Maximum Height	5 stories / 68'	3 stories

Site Design		
Number parking stalls	Residential = 1 per unit = 22 Commercial = TBD	28 below grade 31 surface
Bike parking	Residential = 1 per unit (22) + 1 guest stall per 10 units (3) = 25 Commercial = TBD	28 interior, 6 surface
Landscaping	Yes	Yes
Lighting	Yes	Yes
Accessible stalls	3 total (1 lower level and 2 surface with 1 van accessible)	3
Loading	No	No
Building forms	Yes	Meets building forms
Other Critical Zoning Items: Utility easements, barrier free (ILHR 69)		

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

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

Public Utilities and Services: This property is served by a range of urban services within the Cottage Grove Road right-of-way, which will be extended into the site. Metro Routes 38 and 39 serve the property, with a stop on Cottage Grove Road just west of this site and a stop on Dempsey Road.

Project Description

On a 0.82-acre vacant site, the applicant proposes to construct a three-story mixed-use building with just over 34,000 square feet of floor area. Construction is scheduled to begin in the Summer of 2014 for Fall 2015 completion.

Land Use - The building has 9,900 square feet of ground floor commercial space and a total of 22 residential units on the second and third floors. Commercial tenants are unknown at this time, but the first floor commercial space

is flexible to be utilized by a variety of retail and service uses, depending on their space needs, and entrances will be oriented toward both the south and north sides of the building, so as to face Cottage Grove Road and the proposed surface parking lot.

The residential unit mix includes 4 efficiencies, 14 one-bedroom units, and 4 two-bedroom units, situated along a double-loaded central corridor on the second and third floors. Units range in size from 560 square feet for the efficiencies to 1,062 square feet for the two-bedroom units. Units are intended to be market rate. Each will have one bathroom per bedroom, laundry facilities, and a 6-foot by 9-foot recessed balcony for outdoor usable space.

Building Placement and Massing - In the most recently submitted plans, the building is placed 5 feet from what will be the new Cottage Grove Road right-of-way, and 15 feet east of the future Royster Oaks Drive right of way. It is 160 feet long along Cottage Grove Road, and 72 feet deep, with entrances located on all four sides of the building. Entrances are at-grade, and the three-story building is approximately 41 feet tall from the ground to the highest parapet.

Access and Parking - As proposed, the site includes 31 surface parking stalls and 28 underground parking stalls. The surface parking is intended for use primarily by commercial customers, visitors, and employees, and amounts to a ratio of 3.1 stalls per 1,000 feet of commercial space. The underground stalls are intended to serve residents, at a ratio of 1.3 stalls per dwelling unit.

The surface parking area behind the building can be accessed via Royster Oaks Drive along a driveway located on the property immediately to the north, where 80 residential units are proposed. This shared access triggers the review of both properties as a planned multi-use site. The entrance to the underground parking area is located under an at-grade patio space on the east side of the building. On-street parking will eventually be provided in front of the building along Cottage Grove Road, following the reconstruction of this portion of the street in 2015. Finally, 24 bicycle-parking stalls are provided in the underground parking area for use by residents, and 6 exterior bicycle stalls are shown near the northeast corner of the building, which could be utilized by customers and visitors.

Pedestrian access to the building will be provided directly from Cottage Grove Road to several commercial building entrances, as well as via a sidewalk from Royster Oaks Drive, which leads to the north side of the building adjacent to the surface parking area. Entries to the commercial spaces are located on the north and south sides, the main residential entrance is located in the northeast corner of the building, and an additional residential entrance to a stairwell is located on the west side of the building.

Pedestrian access will also be provided *through* the site in two areas: a north/south connection located just east of the building, linking Cottage Grove Road with the proposed residential buildings to the north; and an east/west connection on the northern edge of the property linking Royster Oaks Drive with future development east of this property.

Building Exterior and Landscaping - The exterior of the building is primarily clad in brick, with a prairie stone base, and corrugated metal accents. Aluminum storefront windows and doors line the ground floor, providing for visibility into the commercial spaces. Metal awnings are proposed over the entryways on all sides of the building. An approximately 24-foot wide portion of the building is slightly inset, with prairie stone on the first floor, and corrugated metal above. The top of the building has a precast stone band and aluminum coping. Finally, the applicant has indicated that each unit will have a wall-pack HVAC unit, but these will be located on walls perpendicular to the street within the recessed balcony areas, so they are not included in the submitted elevations.

Landscaping for the site includes eight canopy trees in the parking lot and six ornamentals located along the west side of the building, in the parking lot, and in the landscaped area next to the northeast corner of the building. Shrubs, evergreens, and other perennials are located in and on the west side of the surface parking area and along the building foundation. Landscape plans are currently inconsistent with site plans and elevation drawings. Revised landscape plans will need to meet zoning requirements. Staff recommends that the revised landscape plan be coordinated with landscape plans for the other two sites currently proposed for development, so that a common landscape palette can be utilized for this portion of the Royster Corners site.

Project Analysis and Conclusion

Land Use and Consistency with Adopted Plans- The proposed mixed-use building is consistent with the Comprehensive Plan (2006) and with the Royster-Clark Special Area Plan (2009), both of which recommend neighborhood mixed-use for this portion of the site. For this area, the Royster-Clark Special Area Plan recommends relatively large mixed-use, office, or residential buildings 2-4 stories in height and oriented toward Cottage Grove Road. Specifically, buildings should have direct pedestrian access from Cottage Grove Road, parking lots placed behind or beside them, and first floor storefronts with a high proportion of glass for views into businesses. The proposed site and building design are consistent with these recommendations. It will be important for the owner to work with future commercial tenants to maintain visibility into the commercial spaces from Cottage Grove Road, as interior spaces are designated and designed for specific uses. It is important to note that while many employment uses and service businesses are permitted in the TE District, other commercial uses such as general retail establishments and restaurants would require future conditional use review in this district. Staff is generally supportive of a wide range of neighborhood-serving commercial uses in this location, and looks forward to working with the applicant in the future as specific tenants are contemplated.

The Plan recommends building setbacks of 15-25 feet from Cottage Grove Road, in order to allow space for the possible future burying of the overhead transmission wires. It is important to note that at the time the Plan was adopted, an assumption was made that Cottage Grove Road would not be significantly changed associated with redevelopment of this property. However, as previously mentioned, changes to Cottage Grove Road are planned for 2015. These changes will include the undergrounding of some of the overhead utilities and the relocation of ATC lines within the new limits of the public right-of-way. With this in mind, staff believes that the proposed five-foot building setback is adequate. However, staff would like to see additional detail on the design of this area to include foundation plantings or structured landscaping, as well as bicycle parking in front of the building to serve the commercial businesses. If, in the development of this detailing, the applicant finds that a slightly deeper setback would be preferable, staff could support it. In any case, future development to the east and west should generally maintain a front setback similar to this proposal in order to create a consistent streetscape.

Finally, the Plan specifies that subdivisions of land into lots less than one-acre in this area should not occur, unless a particular development proposal for the property can demonstrate consistency with the Plan. In this particular case, the revised plat proposed results in a 0.82-acre lot for this development proposal, and staff believes the proposal is consistent with the Plan to warrant this smaller lot.

Design Details – First, there are some inconsistencies among plans submitted that staff believes can be addressed in final plans submitted for staff review and approval. For instance, the most recently submitted elevations show five entrances on the south side of the building facing Cottage Grove Road, one on the west side, facing Royster Oaks Drive, and the main residential entrance on the northeast corner of the building. However, the most recently submitted site and landscape plans do not show sidewalk linking to the western or northeastern entrances, and show only four connections between the building and Cottage Grove Road. Additional sidewalks will need to be incorporated, and the landscape plan adjusted to match the elevations. Further, the landscape plan, civil drawings,

and fire access plan show the building with a nearly zero front setback, while the site plan has a five-foot setback. Staff understands that it is the intent of the applicant to set the building back five feet from the front property line, and supports this placement or even a slightly deeper setback. All plan components should be updated to reflect a consistent building setback. Finally, the site plan and elevations are inconsistent with regard to the location of the minor modulations of the building, and should be made consistent in final plans submitted for staff review and approval.

Without interior floor plans for the commercial spaces, it is impossible to know what the entrances on either side of the building will relate to on the inside, but as the applicant continues working with potential tenants now and in the future, it will be important to maintain a strong street presence on the south side of the building through the design of the interior spaces. As part of the conditional use approval, staff recommends that visibility into the commercial spaces from Cottage Grove Road be maintained by minimizing the placement of equipment, displays, shelving, or other obstructions. This condition will help to ensure consistency with recommendations in the Royster-Clark Special Area Plan related to the orientation of buildings to Cottage Grove Road. Specifically, the design requirements in the zoning code relating to this issue for mixed-use and commercial zoning districts listed below should be applied to this property.

Section 28.060(2)(d)1 &2:

- 1. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings.*
- 2. Displays may be placed within windows. Equipment within buildings shall be placed a minimum of five (5) feet behind windows. To preserve views, within three (3) feet of any window, not more than thirty percent (30%) of the view through the windows shall be blocked by merchandise, displays, shelving, or other obstructions.*

Final plans should show more detail in the area between the building and the street, which should include bicycle parking opportunities for customers and landscaping. Finally, while details are still being considered based on potential tenants, it will be important that the resulting building has at least three functional entrances facing and connected to Cottage Grove Road in order to break up its 160' length and activate this part of Cottage Grove Road.

Staff has expressed concerns to the applicant's architect about the proposed 24-foot wide building element with corrugated metal and stone, which differs from the rest of the building for no apparent reason. Staff believes that for this building type and location, it would be appropriate to have consistent exterior materials along the whole length of the building, with some modulation in the building to break up its length. Staff recommends that the applicant replace materials on this element with brick, consistent with the rest of the building. Alternatively, in order to ensure that there is a functional reason for the architectural differentiation, the applicant should further differentiate this element with a significant entrance, or further inset the element and incorporate amenities such as bicycle parking or an outdoor seating area in this location.

Lastly, staff has noted that the landscape plan will need to be revised for consistency with the site plan and elevation drawings. This revision will need to meet all zoning requirements for site landscaping, and staff recommends that the revised landscape plan be coordinated with the other two sites currently proposed for development, so that a common landscape palette can be utilized for this portion of the Royster Corners site.

Conditional Use Standards- In this case, staff believes that the standards for approval of conditional uses can be met, as noted below:

- 1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard can be met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met, so long as the associated revised Royster Corners Plat is recorded and implemented.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard is met.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard can be met. This is the first building proposed for the Royster Corners plat along Cottage Grove Road, and it will set the tone for future development to the east and west. The proposal incorporates a shared access and parking arrangement with the property immediately to the north, and lends itself to a broader shared access and parking arrangement with properties to the east, at the corner of Cottage Grove Road and Dempsey Road.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met. The parking stalls provided should adequately meet the needs of the residential users (ratio of 1.3 stalls per unit in underground parking area) and commercial tenants (ratio of 3.1 stalls per 1,000 square feet in the surface parking area, plus additional on-street parking and shared parking as needed with the property to the north).

Once clarifications have been made to the site plan to meet conditions of approval, the proposal will provide strong pedestrian connectivity between the proposed building and the public streets. Further, the proposal provides for both north-south and east-west pedestrian connectivity from Cottage Grove Road and Royster Oaks Drive to other parts of the greater site. Proposed bicycle parking meets basic zoning requirements and will be improved once conditions of approval are met.

6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

Staff believes that this standard is met. The site plan provides multi-modal access to the site, and adequate entry points for automobiles. With the relatively small commercial space and the number of residential units, this development is unlikely to be a major trip generator, and will provide opportunities for neighborhood serving commercial uses within easy walking distance of new residents and existing neighborhoods nearby.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission:*
 - a. *Shall bear in mind the statement of purpose for the zoning district, and*
 - b. *May require the applicant to submit plans to the Urban Design Commission for comment and recommendation*

Staff believes that “a” above can be met. The Statement of Purpose for the TE District reads as follows:

MGO 28.084(1)

The TE District is established to encourage a broad range of employment activities, taking advantage of the varied transportation options and proximity to urban activities and cultural amenities found in many Traditional Employment locations. Residential uses are of secondary importance. The district is also intended to:

- a) Encourage businesses with the potential to provide significant numbers of living-wage jobs that contribute to a sustainable economy and a strong tax base.*
- b) Support the continued use or adaptive reuse of traditional industrial buildings for a variety of purposes.*
- c) Facilitate preservation, development or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor, or special area plans.*

While the future first-floor businesses are yet unknown, and this is a new building, the proposed commercial and residential uses and building design are generally consistent with the adopted Comprehensive Plan (2006) and Royster-Clark Special Area Plan (2009), as discussed in an earlier section. The proposed mixed-use building will fit in well with other employment, commercial, and residential uses on the larger site.

[Standards 8 and 10-15 do not apply to this request]

Conclusion- Staff finds that the proposed three-story mixed-use building is consistent with the Royster-Clark Special Area Plan (2009), which recommends mixed-use development along this portion of Cottage Grove Road. Further, staff finds that the proposal can meet the conditional use standards for the requested residential units in the Traditional Employment District. The proposed mixed-use building will help to frame the main entrance into the larger Royster Corners development, and together with the other developments proposed at this time and future development to the east and west, this proposal will help to catalyze further investment in the surrounding area.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

Planning Division staff recommends that the Plan Commission find that the conditional use standards are met and **approve** the proposed mixed-use building as part of a planned multi-use site. This recommendation is subject to input at the public hearing and recommended conditions of approval from city agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. Final plans submitted for staff review and approval shall include detailed plans for the area between Cottage Grove Road and the building including landscaping and amenities such as bicycle parking and seating.
2. On final elevations submitted for staff review and approval, the applicant shall either:

- a) Replace the exterior materials on the building element clad in prairie stone and corrugated metal with brick, consistent with the rest of the building; or
 - b) Further differentiate this element from the rest of the building with a significant entrance or a deeper inset, to allow space for elements such as bicycle parking and/or a seating area.
3. To ensure consistency with the Royster-Clark Special Area Plan regarding first floor storefront design, requirements in Section 28.060(2)(d)1 and 2 of the zoning code shall apply to this property as follows:
1. *Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings.*
 2. *Displays may be placed within windows. Equipment within buildings shall be placed a minimum of five (5) feet behind windows. To preserve views, within three (3) feet of any window, not more than thirty percent (30%) of the view through the windows shall be blocked by merchandise, displays, shelving, or other obstructions.*
4. Any HVAC systems visible on the exterior of the building shall not face the public streets.
5. Revised landscape plans shall be consistent with the site plan and elevations, and shall meet all zoning requirements. Prior to the final submittal for staff review and approval, the applicant shall coordinate the revisions to this landscape plan with the landscape plans on the other two sites proposed for development at this time. The final submittal shall include a coordinated landscape plan including all three sites, for review by staff.
6. Final plans and elevations submitted for staff review and approval shall be internally consistent with a front setback between five and fifteen feet, a consistent number and placement of building entrances, and building modulations. Private sidewalks shall be provided to link the public sidewalk to all building entrances
7. Final plans submitted for staff review and approval shall include detailed interior layouts for the residential units.
8. Note: Future ground floor commercial uses may be subject to conditional use approval in the Traditional Employment District (see MGO Section 28.082, Table 28-F1 for details).

Zoning Administrator (Contact Pat Anderson, 266-5978)

9. Pursuant to Sec 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
10. Provide a minimum of 25 bike parking stalls for the residential component of the project. Bike parking shall be located in a safe and convenient location on an impervious surface subject to section 28.141(11) to be shown on the final plan. Bike parking for the commercial/retail component of the project shall comply with the requirements in sec. 28.141(4)(g) and 28.141(11). Provide a detail of the proposed bike rack.
11. Pursuant to Sec. 28.142(3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
12. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

13. Parking requirements for persons with disabilities must comply with Sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.
14. Provide details on calculations for lot coverage as defined in Sec. 28.211.
15. Since the commercial uses have not yet been determined at this time, the parking requirement for the commercial uses in the building cannot be calculated at this time. Parking requirements for future tenants shall be calculated at the time building permits for occupancy are requested.
16. Provide detail on the usable open space as defined in Sec. 28.211 that complies with Sec 28.140 on the final plan sets.

City Engineering Division (Contact Janet Dailey, 261-9688)

17. Modify the site plans to reflect the current proposed street names and lot numbers for the Royster Corners Plat.
 18. Elevation drawings show five entrances along Cottage Grove Rd and one entrance along Royster Oaks Dr. All other site drawings show four entrances and no entrance along Royster Oaks Dr. The plans shall be revised to address the discrepancy.
 19. This Lot (Lot 4 of proposed Royster Corners) requires access over Lot 5 adjacent to the north. Also, Lots 2 and 3 to the east will have access rights over and across the same areas on Lot 5. A Common Access Easement/Agreement between Lots 2, 3, 4 and 5 of the proposed plat of Royster Corners shall be drafted, executed and recorded prior to plan sign off.
 20. Lots 1-5 of the proposed Royster Corners plat appear to be dependent on each other for overland and subsurface stormwater drainage. A private Storm Sewer/Drainage Easement/Agreement for all lots with shared drainage shall be drafted, executed and recorded prior to plan sign off.
 21. The final plat of Royster Corners shall be recorded prior to issuance of any building permit(s).
 22. Sanitary sewer elevations on the lot plan will be required to match the City issued plans. Applicant will be required to confirm invert elevations prior to setting final building foundation elevations.
 23. The interior streets and infrastructure for the Royster Corners Plat is proposed to be constructed by a public works contract administered by the City in 2014. The Applicant and his/her contractor shall coordinate and agree to work cooperatively with the City during the construction of the public infrastructure. Furthermore, the Applicant understands that the City shall have easement rights for grading and construction over all the lots within the proposed plat until such time as the public works construction is completed.
 24. Any damage to the public infrastructure including sidewalk, curb and gutter, street, pavement, and public utilities resulting from the construction of this development shall be the Applicant's responsibility to repair.
 25. The Engineering Division will coordinate the design of the streets and public infrastructure for the public right of way adjacent to this project. The site plans will not be signed off until the final design plans for street, sidewalk and public utilities are completed. The site plans shall be modified to reflect the design grades and layout as provided by City Engineering.
26. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
 27. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.

28. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
29. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
30. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
31. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
32. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constformsinfo.htm> (NOTIFICATION).

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

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

35. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement (POLICY).
36. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas

- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) All Underlying Lot lines or parcel lines if unplatted
- g) Lot numbers or the words "unplatted"
- h) Lot/Plat dimensions
- i) Street names

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

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

37. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

38. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work (MGO 10.05(6)) and MGO 35.02(4)(c)(2)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

39. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan (POLICY).

40. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction MGO 37.05(7). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

41. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff (MGO 16.23(9)(d)(4)).

42. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

Traffic Engineering (Contact Eric Halvorson, 266-6527)

43. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2)

feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

44. 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.
45. 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.
46. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Parks Division (Contact Kay Rutledge, 266-4714)

47. The developer shall pay approximately \$51,774.80 for park dedication and development fees for the new 22 MF units proposed on Lot 2 (formerly Lot 4 of the revised Royster Corners Plat). The park dedication requirement for a multi-family unit equals 700 square feet per dwelling unit. The fee in lieu of parkland dedication for multi-family units is \$1,708.00 per unit in 2013. The park development fee for a multi-family unit in 2013 is \$645.40 per dwelling unit. Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.
48. The developer must select a method for payment of park fees before signoff on this conditional use. This development is within the Olbrich Park impact fee district (SI25). Please reference ID# 13123.1 when contacting Parks Division staff about this project.
49. 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.

Water Utility (Contact Dennis Cawley, 266-4651)

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

Fire Department (Contact Bill Sullivan, 261-9658)

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