



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
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October 5, 2006

J. Randy Bruce
Knothe & Bruce Architects, LLC
7601 University Avenue, Suite 201
Middleton, Wisconsin 53562

RE: Approval of a request to rezone 6.4 acres located at 9201 Midtown Road from R5 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow construction of 156 apartment units and a clubhouse in four buildings and five four-unit townhouse buildings.

Dear Mr. Bruce:

At its October 3, 2006 meeting, the Common Council **conditionally approved** your client's application to rezone property located at 9201 Midtown Road from R5 to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty (20) items:

1. Show approved street names. Site plan shows a street named differently on various pages (Dregers Way & Silverstone Lane). Silverstone Lane is the street name shown on the conditionally approved plat of Hawks Ridge Estates.
2. The proposed development shows drainage from both the condominiums and apartments to the bioretention and pond system. The system shown is not the same as the system being reviewed by the City of Madison. Further, the system being reviewed has not yet been approved by the City. Plans will be revised to show the approved plans currently being reviewed by the City Engineering; this shall be done after final approval of the plans is granted.
3. The proposal shows that two lots (condo and apartment) share a common drainage system - an agreement indicating the rights and responsibilities of the parties draining to that system shall be completed and recorded against both parcels. Further, as both lots drain to a public drainage system that is in an easement where routine maintenance is to be performed by the owner of the land not by the City - the agreement shall dictate how maintenance for the treatment area is to be carried out and how the costs are to be paid.
4. A formal easement shall be recorded over the stormwater management areas. The applicant shall draft the legal description of the area and provide an exhibit of the area. This exhibit shall be suitable for recording against both lots. The City shall provide the language for the easement and the easement shall be recorded by the City at the developer's expense.
5. Coordinate private sewer design with the public sanitary sewer design for Hawks Ridge Plat.

6. Public sewer may not be available in a timely manner. The applicant shall adjust his/her schedule accordingly.
7. If multiple ownerships share any sewer, an ownership and maintenance agreement shall be required.
8. Proposed private sewer may require Department of Commerce approval and Water Quality Certification.
9. Hawks Ridge Estates plat and the proposed two-lot Certified Survey Map must be recorded prior to building permits issued.
10. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
11. 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.
12. 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.
13. The applicant shall construct sidewalk along Midtown Road to a plan approved by the City Engineer.
14. A City licensed contractor shall perform all work in the public right-of-way.
15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances 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.
16. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
17. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100-year storm events, control 80% TSS (5 micron particle), provide infiltration in accordance with NR-151, provide substantial thermal control and provide oil & grease control from the first 1/2" of runoff from parking areas.
18. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.
19. 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, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
20. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc. and; sediment loading

calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following five items:

21. That the applicant work with the Traffic Engineering Division on the provision of the northern driveway off Hawks Ridge Drive. [Modifies following TE condition: The proposed northerly driveway on Hawk's Ridge Drive is problematic to traffic conditions, and cannot be approved. (If this is the only option for fire access at this location to service the building the City may consider a fire only driveway where the applicant installs a mountable curb in place of driveway approach, concrete pad in the terrace, and pavers or concrete walkway between the sidewalk and parking lot. In addition, the applicant will need to note on the plan "Fire Access.")]
22. The applicant is proposing a four-foot walkway or six-foot walkway with two feet of vehicle overhang making the walkway four feet through the site. The applicant shall increase the walkways to five feet to six feet clear walkway to accommodate both pedestrian and bikes through the site.
23. When the applicant submits final plans for approval, the plans shall show the following: items in the terrace as existing (signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, on a scaled drawing at 1" = 20'.
24. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
25. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Si Widstrand, Parks Division, at 266-4711 if you have questions about the following item:

26. Park dedication required for this project is 123,200 square feet based on 700 square feet per unit for the **176** units. The required dedication shall be paid as a fee in lieu of land, based on the actual value of the acreage up to a maximum of \$1.74 per square foot. The dedication fee for this project is \$214,368.00. Park Development Fees are \$92,252.16 (\$524.16 per unit). → Total park fees for this project = **\$306,620.16**. Park fees shall be paid prior to issuance of a building permit.

Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following item:

27. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hoselays off the truck. See MGO 34.20 for additional information. Hose lays shown on fire access plan are not laid out as hose lays off the truck. Additional hydrants shall be required on-site.

Please contact Hickory Hurie or Barb Constans, Community Development Block Grant Office, at 267-0740 regarding the following Plan Commission condition regarding Inclusionary Zoning:

28. That one of the three designated inclusionary condominium units be provided at 70% AMI as determined by the CDBG Office.

Please contact Kathy Voeck, Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following five items:

29. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit, to the Community Development Block Grant Office a copy of the approved plan for recording prior to final signoff of the rezoning.
30. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground/floor.
 - b.) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance (or elevator) as possible. Show ramps, curbs, or wheel stops where required.
31. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
32. Lighting is required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 footcandle at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance for more information).
33. In amended zoning text regarding signage, note that signage shall be approved by the Urban Design Commission and zoning.

Please contact my office at 261-9632 if you have questions about the following four items:

34. That the landscaping plan be revised per Planning Unit approval as follows:
 - a.) the number of deciduous and coniferous trees to be planted in the 30-foot buffer strip along Midtown Road be approximately doubled, with the line of materials to extend to screen all surface parking areas adjacent to Midtown Road;
 - b.) that additional under-story canopy trees be added to the townhouse component, including additional trees in the side yard adjacent to Hawks Ridge Drive and in the 20-foot front yard along Dregers Way.
35. That the site plans be revised per Planning Unit approval as follows:
 - a.) that connection of sidewalks within the project be made to public sidewalks on adjoining streets;
 - b.) that five additional bike parking stalls be added near the entrance of the clubhouse;
 - c.) that the four parking spaces in the northwest corner of the project be removed.
36. That the front, southern facades of the five townhouse buildings be individually varied using any combination of varied roof designs, building material colors and window and door styles or locations per Planning Unit approval to provide a more diverse street wall along Dregers Way.
37. That the applicant execute a deed restriction and place a note on the final plat of Hawks Ridge Estates per Planning Unit approval prior to recording of the subject planned unit development that restricts the number of

dwelling units to be developed on Lot 1 to the number of units remaining following the transfer of density to Lot 2.

After the plans have been changed as per the above conditions, please file **nine (9) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

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.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. 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.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Kathy Voeck, Asst. Zoning Administrator
Janet Dailey, City Engineering
Si Widstrand, Parks Division
John Leach, Traffic Engineering
John Lippitt, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: