



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 841 Jupiter Drive and 818 North Star Drive (District 3 – Ald. Hall)  
**Application Type:** Amended Planned Development District-General Development Plan and Specific Implementation Plan for 841 Jupiter Drive and 818 North Star Drive  
**Legistar File ID #** [40142](#) and [40958](#)  
**Prepared By:** Christopher Wells, Planning Division  
Kevin Firchow, AICP Planning Division  
**Reviewed By:** Jay Wendt, Principal Planner, Planning Division

Report includes comments from other City agencies, as noted.

## Summary

**Applicant & Property Owner:** Dan Schmidt, Fusion Apartments, LLC; 6417 Odana Road; Madison, WI 53719

**Agent:** Ulian Kissiov; 476 Presidential Lane; Madison, WI 53711

**Requested Actions:** There are two Planned Development zoning map amendments requested. The applicant first requests approval of an amendment to the underlying Planned Development-General Development Plan (PD-GDP) for the subject properties to increase the allowable density for 841 Jupiter Drive. The second request is for approval of a Planned Development-Specific Implementation Plan (PD-SIP) for the subject properties to construct a new 54-unit residential building at 841 Jupiter Drive and associated modifications on the adjacent property at 818 North Star Drive.

**Proposal Summary:** The applicant proposes to develop an “L-shaped”, three-story, 54-unit residential building (referred to as “The Fusion” in the applicant’s materials). As part of this request, the applicant also proposes modifications at the adjacent parcel at 818 North Star Drive (referred to as “The View” in the applicant’s materials). Construction of the proposed development is planned to commence in the Spring of 2016 with completion anticipated in the Fall of 2016.

**Applicable Regulations & Standards:** The approval process and standards for Planned Development districts is outlined in Section 28.098 of the Zoning Code. The decision process for the approval of or major amendments to Planned Development districts is the same as set forth in Section 28.182 of the Zoning Code for zoning map amendments.

**Review Required By:** Urban Design Commission, Plan Commission and Common Council.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022 - 00214 approving an Amended Planned Development-General Development Plan, and forward Zoning Map Amendment ID 28.022 - 00215 to amend a Planned Development District to approve a Planned Development-Specific Implementation Plan for 841 Jupiter Drive and 818 North Star Drive to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies.

## Background Information

**Parcel Location:** The subject site includes two properties totaling 2.60 acres. They are located along the southern and eastern sides of the block created by Jupiter, Gemini, and North Star Drives in the Grandview Commons Development, Aldermanic District 3 (Hall); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The 841 Jupiter Drive site is currently undeveloped, while the 818 North Star site is currently under construction. Both are zoned Planned Development (PD).

### **Surrounding Land Uses (all zoned PD (Planned Development District)):**

North: An 11-unit townhouse development with existing and approved senior housing beyond;

South: Multi-tenant retail buildings (Great Dane Brewpub, Edward Jones, Stacey Dental); Chamomile assisted living facility; Jupiter Crossing Apartments; undeveloped land in the Grandview Commons Town Center;

West: Existing and planned multi-family residences along Gemini and Jupiter Drives; and

East: The town green, which is private parkland maintained by the Grandview Commons homeowners association.

**Adopted Land Use Plans:** The Comprehensive Plan and the Sprecher Neighborhood Development Plan recommend medium density residential development for the subject properties. The Comprehensive Plan also identifies the Grandview Commons town center as a Transit-Oriented Development node.

**Zoning Summary:** The properties are zoned Planned Development (PD). Please see the attached report from the Assistant Zoning Administrator for further information.

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor (Map G7).

**Public Utilities and Services:** The site is served by a full range of urban services, including weekday Metro Transit service.

## Previous Approvals

On February 5, 2002, the Common Council approved a request to rezone 232.6 acres of land located in the northeastern quadrant of Cottage Grove Road and Interstate 39-90 from A (Agriculture District, 1966 Zoning Code) to PUD-GDP and approved the preliminary plat of Grandview Commons for the future development of 557 single-family residences, 20 two-family residences, up to 785 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 4, 2002, the Common Council approved an Amended PUD-GDP and a PUD-SIP for the first phase of Grandview Commons to allow the development of 557 single-family residences, 20 two-family residences, up to 1,248 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, 50,000 square feet of flex space, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On January 21, 2014, the Common Council approved an Amended PD-GDP-SIP Plan for 818 North Star Drive (“The View”) to construct a mixed-use building with 2,000-15,000 square feet of commercial space and 82 apartments. This action also included an Amended PD-GDP for 841 Jupiter Drive which allowed for a future adjacent 38-unit apartment building. This approval reapportioned some approved dwelling units from the adjacent site at 841 Jupiter Drive to the 818 North Star Drive development. As a result, up to 38 dwelling units are currently allowed on 841 Jupiter Drive.

## Project Description

The applicant requests approval of an amended Planned Development (PD) for two contiguous properties within Grandview Commons. 818 North Star Drive (referred to as “The View” in the applicant’s materials) is a five-story, 82-unit mixed-use building, currently under construction. 841 Jupiter Drive is the site of the proposed “Fusion Apartments.” Both properties are owned by entities related to Forward Management and would be jointly managed by that company.

There are two zoning map amendments proposed. The first is an amendment to the Planned Development’s underlying General Development Plan (GDP) to increase the allowable site density on 841 Jupiter Drive from 39 to 54 units. As part of the 2014 zoning approval for the adjacent development (“The View”), density was reapportioned between the two subject properties. Further information on that 2014 approval can be found at the City’s Legislative Information website under [Legislative File 32271](#).

The second component of this request is a revised Specific Implementation Plan (SIP) for both properties. This includes the development details for the proposed “Fusion Apartments” and associated modifications to “The View.” Both are discussed below.

The proposed “Fusion Apartments” is a three-story, L-shaped structure. The building includes 54 dwelling units, with 18 units per floor. Primary entrances to the building are located from the rear parking lot and a new street-facing entrance that has been added since the original submittal. Most ground floor units have their own exterior entrance in addition to the entrance off of the internal corridor.

The building includes a mix of studio and one-bedroom units. The unit mix for both buildings includes:

	<b>841 Jupiter Drive Fusion Apartments</b>	<b>818 North Star Drive The View (Under Construction)</b>	<b>Combined</b>
Studio	10 (19%)	0	10 (7%)
One-Bedroom	44 (81%)	36 (44%)	80 (59%)
Two-Bedroom	0	46 (56%)	46 (34%)
<b>TOTAL</b>	<b>54</b>	<b>82</b>	<b>136</b>

The proposed building has an approximate footprint of 17,000 square feet and a total impervious area of approximately 34,560 square feet. It will be set back from Jupiter Drive about 70 feet in order to maintain the view corridor of the State Capitol, as noted in the General Development Plan. The resulting open space will contain landscaping, benches, paths, and a stormwater-retention area.

The “Fusion Apartments” development includes a total of 81 parking stalls and has a ratio of 1.5 parking stalls per unit. This includes a 34-stall surface parking lot located behind and beside the building and 49 under-building stalls. Access to the surface parking stalls (as well as access the lowest level of under-building parking

for the adjacent “The View”) will be provided from a driveway from Jupiter Drive. Access to the “Fusion Apartments” underground parking comes from the shared driveway at the western edge of the site that also provides access to developments at 825 Jupiter Drive, 5801 Gemini Drive, and 5817 Gemini Drive.

There are 59 bicycle parking stalls proposed, including six (6) surface stalls for visitor parking. The balance of the bike parking is proposed within the garage, generally depicted as wall-hung racks. Section 28.141(11)f allows a only a maximum 25% of the bicycle parking to be structured or vertically mounted. Wall-mounted stalls in excess of 25% can be provided, but they do not count towards the required amount. The Plan Commission may recommend approval of reducing the required amount of bicycle parking, but the applicant must first make such a request in writing.

The proposed apartment building will have a utility brick veneer and composite wood panels and lap siding. The railings will both be pre-finished aluminum while the windows will be of pre-finished aluminum and vinyl.

This request also includes site plan modifications for the adjacent development at 818 North Star Drive (“The View”). The revised site plan shows the relocation of an approximately 10-foot-tall retaining wall shared between the subject properties and the reconfiguration of the surface parking. As previously approved, there were 31 surface parking stalls for “The View.” With this proposal, the retaining wall has been shifted to the east. This leaves 21 parking stalls at the first floor level of “The View,” above the retaining wall. The property line is proposed to be reconfigured, leaving an additional 13 stalls on “The View” property, but at the lower garage level beneath the retaining wall. Note, a Certified Survey Map, formally adjusting the lot lines has been submitted separately.

The applicant requests that the proposed “Fusion Apartments” and “The View” developments be considered together for the sake of evaluating density, unit mix, and shared amenities. Residents of the “Fusion Apartments” are proposed to have access to the on-site management office and workout room within “The View.” Multiple pedestrian paths between the buildings are proposed. The latest information from the applicant shows three possible routes between the buildings. One access is an at-grade crossing between the first floor of the “Fusion Apartments” and the lowest garage level of “The View.” A second path includes an exterior stair connection connecting the parking lot facing entrances of both buildings. A third route is a newly proposed ADA accessible ramp that would be at the back of the property.

## **Analysis and Conclusion**

This request is subject to the Zoning Map Amendment [Section 28.182(6)] and Planned Development standards [Section 28.098(2)] of the Zoning Code. The analysis below begins with a summary of the adopted plan recommendations as the specific approval standards reference these documents.

### **Conformance with Adopted Plans**

The Planning Division believes the request is generally consistent with adopted plan recommendations. Both the Comprehensive Plan and the Sprecher Neighborhood Development Plan recommend medium-density residential development for the subject sites. The general recommended density range is between 16 and 40 du/ac (dwelling units per acre). With a calculated density of approximately 39 du/ac, the proposed “Fusion Apartments” at 841 Jupiter is within the recommended density range. The overall project, combined with the approved “The View” development has a calculated density of approximately 52 du/ac. As currently approved, the combined density for both buildings is about 46 du/ac.

The Comprehensive Plan also includes the subject site within a Transit-Oriented Development (TOD) overlay designation. Such development is characterized by a compact, mixed-use development pattern that focuses the highest development densities and intensities in very close proximity to high capacity transit stops. This is intended to achieve a development pattern at and near transit stops that fosters travel via high-capacity mass transit.

The Comprehensive Plan also includes multiple policies to further guide development. Close consideration has been given to objectives and policies that promote a range of housing opportunities. Policy 3 (Under Objective 36 states), *“In established neighborhoods that are or expected to be characterized predominantly by multi-family housing types, maintain opportunities for larger families by providing some larger apartments as well as smaller units in projects, and encourage both condominium as well as rental housing to provide tenure choices.”* As discussed in the below section, while the proposed building includes only efficiency and one-bedroom units, there is a wider range of unit types within this portion of Grandview Commons.

### **Zoning Map Amendment Standards**

Staff believes the Zoning Map Amendment standards can be met. These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law.

Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City’s Comprehensive Plan. 2010 Wisconsin Act 372 clarified “consistent with” as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” Staff believes that the project is consistent with the Comprehensive Plan as noted above.

### **Planned Development Standards**

The entire Grandview Commons development was approved as a Planned Unit Development in 2002, and all properties were subsequently rezoned to the PD Planned Development District as part of the 2013 Zoning Code Rewrite. This request is considered a major amendment to both the underlying General Development Plan and Specific Implementation Plan. As such, the Planned Development standards must be applied to this zoning map amendment request.

Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. Specific design objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans. See Zoning Code Section 28.098 (1) for further information.

The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. In summary, staff believes the following standards of 28.098(2), summarized below, are met:

- (c) Shall not adversely affect the City’s economic health or the cost of municipal services
- (d) Shall not create disproportionate traffic or parking demands
- (f) Project Phasing and Assurances of Completion

The Planning Division believes the following three standards can be met and staff provides the following additional analysis.

Standard (a) states, in part, that, the applicant demonstrate that *“No other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the PD objectives”* of Section 28.098(1). The proposed request is the third request to increase or relocate density for non-age restricted housing within this portion of Grandview Commons since the adoption of the new zoning code. This includes the addition of nine (9) units at 617 Jupiter Drive, the addition of eight (8) units at 825 Jupiter Drive, and the aforementioned addition of seven (7) units at 818 North Star Drive for “The View.” In each of these cases, the Common Council, upon recommendation of the Plan and Urban Design Commissions, found the Planned Development Standards were met.

In this case, as in some other cases, it has been presented that the unused density approved for 502 Apollo Way (about five blocks north of this site), is being transferred to the subject site. The Apollo development was completed with 79 fewer dwelling units than were originally approved. Reallocating these units to the subject site moves them closer to the Grandview Town Center and the area recommended as a Transit Oriented Node. For this reason, the Planning Division believes the increase in density is both consistent with previous approvals and the land use recommendations of the Comprehensive Plan.

Standard (b) states that the *“Planned Development district plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.”* As discussed above, the Planning Division believes the project to be generally consistent with adopted plan recommendations. One area of consideration relates to the proposed unit mix for the “Fusion Apartments,” as only efficiency and single-family dwelling units are proposed. The applicant states that the two buildings will share amenities and the site will be managed jointly. They further request to have the unit mix evaluated between the two properties.

As noted in the project description, “The View” has 46 two-bedroom units and 36 one-bedroom units. When combined with the “Fusion Apartments” The resulting unit mix includes 10 efficiency (7% of the total), 80 one-bedroom (59%) and 46 two-bedroom (34%). As far as plan consistency, the Comprehensive Plan recommends that *neighborhoods* include a range of housing options. There is a wide range of housing types within this portion of Grandview Commons, with all of the multi-family components nearly built out. For existing non age-restricted multi-family apartments, approximately 11% of units are efficiencies, 41% one-bedroom, 46% two-bedroom, and 3% three-bedroom units. In addition, the this area includes some combination of condominium and age-restricted senior uses. Considering the wide mix of housing already within the neighborhood, the Planning Division believes the proposed unit mix could be found consistent with the adopted plans.

However, in order for the development to be considered jointly with “The View,” the Planning Division recommends a combined zoning text be established for the two subject property and that formalizes the shared arrangements between the subject properties. This is in addition to necessary shared access easements. Details regarding shared amenities and shared parking should be specified in the Zoning Text, provided for staff approval.

Standard (e) states that *“The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.”* Staff notes that the applicant has made several changes to the plans to address concerns raised throughout the

review process. Notable changes include the reconfiguration of the parking lot, addition of onsite open space, and addition of a street-facing main building entrance. Staff notes that this project was granted final approval by the Urban Design Commission (UDC), with modifications, on January 13, 2016. At that meeting, the applicant addressed design concerns and presented revised concepts improving the articulation of the "Fusion Apartment's" lower garage level wall and presented the initial concept for a new stair connection and ADA-compliant route between buildings. The updated concept drawings and report of the UDC are attached.

As further design-related conditions of approval, staff recommends that the applicant provides final details on the new central stair, ADA-route, and retaining walls be provided for final staff approval. Plans should clarify the details of the three pedestrian routes connecting the two buildings. Also, staff notes that the project does not currently propose street-facing HVAC units or vents. The Planning Division recommends that a condition be added that the addition of street facing HVAC units or vents will require approval of an alteration to this Planned Development, if proposed at a later time.

With these proposed conditions, the Planning Division believes the Planned Development approval standards can be met.

### **Public Input**

At the time of report writing, staff has not received any comments on the proposed request.

### **Conclusion**

The applicant requests approval of an amended Planned Development (PD) for two contiguous properties within the Grandview Commons development. 818 North Star Drive (referred to as "The View" in the applicant's materials) is a five-story, 82-unit mixed-use building, currently under construction. 841 Jupiter Drive is the site of the proposed "Fusion Apartments." There are two components to the proposed zoning map amendment. The first is approval of an amendment to the Planned Development's underlying General Development Plan (GDP) to increase the allowable site density on 841 Jupiter Drive from 39 to 54 units. The second component of this request is a revised Specific Implementation Plan (SIP) for both properties. This includes the development details for the proposed "Fusion Apartments" and associated modifications to "The View."

The Planning Division believes that the standards for Zoning Map Amendments and Planned Developments can be met with this proposal. From a density standpoint, this development is generally consistent with adopted plan recommendations for medium density residential uses. Further, the increase of density reallocates undeveloped units north of the site to the subject property, to an area generally recommended for Transit Oriented Development which marks the edge of the Grandview Town Center. From a design standpoint, the applicant has made several key improvements since the initial submittal and the Urban Design Commission provided a recommendation of Final Approval at its January 13 meeting, subject to additional modifications.

Zoning has noted the project doesn't comply with bicycle parking regulations, with the proposed plans exceeding the 25% of bicycle stalls that can be wall mounted. At the time of report writing, no formal request or justification has been made with this application to consider a bike parking reduction.

At the time of report writing, the Planning Division was not aware of any neighborhood concerns on this request. The Planning Division believes the building is consistent with the surrounding development pattern and that this request is similar to other recent requests approved in Grandview Commons that sought density reallocations as part of new multi-family developments.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, (608) 267-1150)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022 - 00214 approving an Amended General Development Plan, and forward Zoning Map Amendment ID 28.022 - 00215 to amend a Planned Development District to approve a Specific Implementation Plan for 841 Jupiter Drive and 818 North Star Drive to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies:

1. That the applicant shall submit a revised zoning text for 841 Jupiter Drive and 818 North Star Drive for approval by Planning Division staff and the Zoning Administrator. This zoning text shall be considered a supplement to the underlying zoning text and include details related to shared site amenities and parking.
2. That prior to the final approval and recording of this PD amendment and the issuance of building permits, the Applicant shall have the submitted CSM that reconfigures the shared lot line approved and recorded.
3. That the applicant provides further detail on the three pedestrian connections between the two subject properties for staff approval. This includes the proposed ADA ramp at the rear of the site, the mid-site connection and proposed new stair feature, and the connection leading to the garage of the 818 structure.
4. That the applicant provides further detail on the retaining wall details, for staff approval.
5. No HVAC "wall-pack" penetrations/louvers are shown on the street-facing facades. Floor plans and perspective illustrations show such penetrations will be located within balconies/recesses and not on the outward-facing façade walls. The addition of wall packs on outward street-facing walls is not included in this approval and will require approval of an alteration to this PD should they be proposed at a later time.

**The following conditions have been submitted by reviewing agencies:**

### City Engineering Division (Contact Brenda Stanley, (608) 261-9267)

6. The site plans show the proposed 8" diameter building sewer lateral connecting to a 6" lateral in the road right of way. This connection is not a legal connection without a sewer structure(manhole or cleanout). If an 8" diameter lateral is necessary, a new 8" lateral will need to be built into the street.
7. The proposed storm sewer crosses lot lines. Explain the arrangement for multiple lots served by the same private storm. Provide agreement if necessary.
8. The proposed storm sewer pipes cross in 3 dimensional space and do not appear to connect to the public storm system. Additional information shall be required to show how the proposed storm system works and how it is connected to the public mains.
9. 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)



10. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
11. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the 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) Lot lines or parcel lines if unplatted g) Lot numbers or the words unplatted h) Lot/Plat dimensions i) Street names j) Private on-site sanitary sewer utilities (including all connections to public sanitary) k) Private on-site storm sewer utilities (including all connections to public storm)

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

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [tstroester@cityofmadison.com](mailto:tstroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

12. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files b) RECARGA files c) TR-55/HYDROCAD/Etc d) 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. (POLICY and MGO 37.09(2))
13. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
14. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [tstroester@cityofmadison.com](mailto:tstroester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.
15. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects

for compliance with NR216 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. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constformsinfo.htm> (NOTIFICATION)

16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
17. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
18. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
19. 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)
20. All damage to the pavement on Jupiter Dr., adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

**Engineering Mapping** (Contact Jeffrey Quamme, (608) 266-4097)

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| <ol style="list-style-type: none"><li>21. The Declaration of Easements, Covenants and Restrictions per Doc No. 5122327 shall be amended, recorded and a recorded copy provided prior to final site plan approval. This proposed site plan changes the configuration of the easements granted within the original document and an amendment is required.</li><li>22. The joint driveway Easement per Doc's 4052014 and 4243771 shall be amended to acknowledge the actual storm sewer connection to be made within the easement area per this site plan and the newer lots created by the recent CSM. Show the easement on the site plans.</li><li>23. The property line between the properties is shown to be revised per the site plans. A Certified Survey Map and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.</li></ol> |
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24. The Existing Conditions plan shall show all property lines and easements of record.
  25. Submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

26. The current description and lots for this development are Lots 1 and 2, Certified Survey Map No. 13886. This description will change again upon the recording of the required CSM to change the lot line between these lots per the proposed site plan.

**Traffic Engineering Division** (Contact Eric Halvorson, (608) 266-6527)

27. Underground parking is not dimensioned and as such not reviewable at this time. The applicant should be aware this may lead to major site changes once the dimensions are provided. (All One-Size-Fits-All parking stalls shall be a minimum of 8.75' x 17' with a minimum backup of 23' to be approvable.)

28. 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; 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.

29. 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.

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

31. Traffic Engineering will no longer be accepting paper plans; to ensure a timely review all submittals will include an electronic copy (.pdf preferred).

32. "Stop" signs shall be installed at a height of seven (7) feet 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.

33. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang.

34. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet – 25 feet behind the property line at streets and 10 feet at driveways.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2) (bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer.

**Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)

35. The applicant proposes a development that does not comply with the bicycle parking requirements of Sections 28.141(4)(g) and 28.141(11). A Planned Development shall comply with all standards, procedures, and regulations of the Zoning ordinance that are applicable to the individual uses within the development, including the General Regulations of Subchapter 28I and the Supplemental Regulations of Subchapter 28J. Where the applicant proposes a development that does not comply with one or more of the regulations in

those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans.

36. The proposed Fusion Apartments will be cross-connected with the adjacent mixed-use building (The View) located at 818 North Star Dr (5851 Gemini Dr) and will trigger changes to the previously approved PD-SIP project for The View. Submit an Alteration to PD-SIP for site plan review of the site, parking lot, and landscape changes to The View Apartments located at 818 North Star Dr.

37. This project is designed as a planned multi-use site. Pursuant to section 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.

38. Submit an overall site plan exhibit for the entire planned multi-use site bounded by Gemini Dr, Jupiter Dr, and North Star Dr. The site plan should include the properties at 5801 Gemini Dr, 5817 Gemini Dr, 818 North Star Dr, 825 Jupiter Dr, and 841 Jupiter Dr.

39. Bicycle parking shall comply with City of Madison General Ordinances Sections 28.141(4)(g) Table 28I-3 and 28.141.11 and shall be designated as short-term and long-term bicycle parking. A minimum of 54 resident bicycle stalls are required plus a minimum of 5 short-term short term 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. 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.

40. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required accessible stalls, including the striped access aisles and required signage.

41. Submit a rooftop plan 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).

42. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

43. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Fire Department** (Contact Bill Sullivan, (608) 261-9658)

44. The proposed property lines do not the recorded property lines. Coordinate with the project at 818 North Star Drive.

45. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503, as follows:

1. Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28-feet.
2. The fire lane grades shall not exceed 8%.

**Parks Division** (Contact Janet Schmidt, (608) 261-9688)

46. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff of the rezoning request. This development is within the Door Creek Impact fee district (SI23). Please reference ID# 13168.1 when contacting Parks about this project.

**Water Utility** (Contact Dennis Cawley, (608) 261-9243)

47. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

48. Metro Transit only operates weekday peak-hour transit service along North Star Drive through the Jupiter Drive intersection, near the project site. Daily, all-day transit service is on Cottage Grove Road west of the Interstate, approximately 1/2 mile walking distance from the project site.