



Department of Planning & Community & Economic Development

Planning Division

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November 20, 2014

December 1, 2014 (CORRECTED – Approval Condition 24 added)

Gary P. Brink

Gary Brink & Associates

7780 Elmwood Ave Suite 204

Middleton, WI 53562

RE: Approval of a zoning map amendment rezoning **825 Jupiter Drive** to amended PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan) to allow for the development of a 37-unit apartment building.

Dear Mr. Brink:

At their November 18, 2014 meeting, the Common Council approved your client's zoning map amendment request rezoning 825 Jupiter Drive from PD-GDP-SIP (Planned Development-General Development Plan District) to amended PD-GDP-SIP (Amended Planned Development-General Development Plan and Specific Implementation Plan District) to allow for the development of a 37-unit apartment building. This approval is subject to the below conditions of approval that shall be satisfied prior to final approval and sign-off of the plans, recording of the Planned Development, and the issuance of permits.

Please contact Janet Schmidt, City Engineering Division, at 261-9688 if you have questions regarding the following sixteen (16) items:

1. The Declaration of Joint Easements per Document No. 4671645 shall be amended in regard to the walking path easements set forth in the document to reflect the change in the configuration of the walking path easements proposed by this plan. A recorded copy of the amended document shall be provided prior to issuance of a building permit.
2. As designed, when the storm sewer surcharges it will flood the underground parking. This is not acceptable. The Developer shall redesign the system and present plans for approval to City Engineering.
3. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
4. 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.

5. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
6. 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)
7. 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)
8. All damage to the pavement on Jupiter Drive 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)
9. 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.
10. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity. (POLICY)
11. 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.
12. 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/constrformsinfo.htm> (NOTIFICATION)

13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances and b) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post

these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.

14. 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
15. 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... and 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))
16. 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>.

Please contact Eric Halvorson, Traffic Engineering Division, at 266-6572 if you have questions regarding the following four (4) items.

17. 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.
18. 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.
19. 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.
20. All parking facility design shall conform to MGO standards, as set in section 10.08(6). (Parking stalls at 8' 8" do not meet this standard.)

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding compliance with the City's Zoning Code.

Please contact Kay Rutledge, Madison Parks Division, at 266-4714 if you have questions regarding the following two (2) items:

21. 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 in this subdivision. The developer must select a method for payment of park fees prior to signoff on the rezoning. This development is within the Door Creek Park impact fee district (SI23). Please reference ID# 14151 when contacting the Parks Division about this project.
22. 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.

Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have questions regarding compliance with applicable fire codes.

Please contact my office at 267-1150 if you have questions regarding the following two (2) items. Item 24 was approved by the Common Council at their November 18 meeting upon recommendation by the Plan Commission.

23. No HVAC "wall-pack" penetrations/louvers are shown. Floor plans depict and applicant has stated that such penetrations will be located within balconies/recesses and not on the outward-facing façade walls. The addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this PUD should they be proposed at a later time.
24. That owners/managers shall provide dog stations (facilities with pet waste bags and containers for used bags) on the property with convenient access for residents. Either the size of the waste containers, the number of the waste containers or the emptying cycle shall be sufficient to preclude overflow of contents. Failure to do so will result in notification to Building Inspection and appropriate enforcement.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Please now follow the procedures listed below:

After the planned development has been revised per the above conditions, please submit 10 copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, 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 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. 28.181(5) 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.

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. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

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 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Schmidt, City Engineering Division
Patrick Anderson, Zoning
Kay Rutledge, Parks Division
Bill Sullivan, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" 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 Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: