

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
March 29, 2005

ZONING MAP AMENDMENT, I.D. 00584 TO REZONE PROPERTY LOCATED AT 618 AND 718 JUPITER DRIVE:

1. Requested Action: Approval to rezone property from PUD(GDP) Planned Unit Development-General Development Plan District to PUD(SIP) Planned Unit Development-Specific Implementation Plan District to allow for the construction of a 2-story, 100-bed skilled nursing home facility, a 2-story, 72-bed assisted living facility, and a 4-story, 77-unit condominium building for seniors located at 618 and 718 Jupiter Drive.
2. Applicable Regulations: Section 28.07(6) provides the requirements and framework for Planned Unit Development Districts. Section 28.12(10) provides the process for zoning map amendments.
3. Report Drafted By: Peter Olson, Planner II.

GENERAL INFORMATION:

1. Applicant: Scott Frank, 7806 Betsy Lane, Verona, WI 53593; and Jerry Bourquin, Dimension IV-Madison, LLC, 313 West Beltline Highway, Suite 161, Madison, WI 53713.
2. Status of Applicant: Property owner and architect.
3. Development Schedule: The applicant wishes to commence construction in the spring of 2005. The applicant expects this project to be completed in 2007.
4. Parcel Location: This site is located within the Grandview Commons Neighborhood Center Residential District at the northeast corner of I90-39 and Cottage Grove Road. This site is located approximately three blocks north of Cottage Grove Road along the west side of Jupiter Drive at the intersections with Charon Lane and Halley Way, 3rd Aldermanic District, Madison Metropolitan School District.
5. Parcel Size: This property contains 312,380 square feet (7.17 acres).
6. Existing Zoning: PUD(GDP). The General Development Plan authorizes multi-family development for this property and three other lots at an overall density of 17.6 dwelling units per acre. In addition, the General Development Plan allows skilled nursing homes and assisted living facilities as permitted uses within the Grandview Commons Neighborhood Center Residential District.
7. Existing Land Use: Vacant lots.
8. Proposed Use: 100-bed skilled nursing home facility, 72-bed assisted living facility, and a 77-unit condominium building for senior residents.

9. Surrounding Land Use and Zoning (See map): The subject property is located along the east right-of-way line of Interstate Highway 90-39 within the Grandview Commons traditional neighborhood development. The subject property is surrounded by other lots proposed and approved for multiple family development. The parcel immediately to the north is a public greenway and drainageway zoned PUD(GDP). The parcels adjacent to the south of the subject property have been approved for multi-family development consistent with the requirements of the underlying Grandview Commons General Development Plan and are zoned PUD(SIP). That property across the I90-39 corridor consists of open space, a site for a new east side police precinct building and single-family homes zoned R1.
10. Adopted Land Use Plan: The Sprecher Neighborhood Development Plan recommends this area for low to medium density residential development. The approved General Development Plan for the Grandview Commons development specifies uses for individual lots ranging from low density to medium density residential, including a neighborhood commercial center for these lands. The subject property has been included in a multi-family residential district not to exceed an overall average of 17.6 dwelling units per acre.
11. Environmental Corridor Status: This property is not located within a mapped environmental corridor. This property is adjacent to a public drainageway and greenway located on the north.

PUBLIC UTILITIES AND SERVICES:

A full range of urban services are being extended to this property upon development.

STANDARDS FOR REVIEW:

This project is subject to the Planned Unit Development District standards. The inclusionary dwelling units standards do not apply to this development because the final subdivision plat and Planned Unit Development-General Development Plan zoning were finalized prior to the effective date of the inclusionary dwelling unit zoning requirements. The 77-unit independent senior condominiums will not exceed the maximum density allowed by the underlying General Development Plan. The skilled nursing home and assisted living facility are also allowed by the underlying General Development Plan and are not required to comply with the provisions of the inclusionary zoning section.

ANALYSIS AND EVALUATION:

Existing Site Characteristics

The proposed development site consists of 312,380 square feet (7.17 acres). This site was created in early 2003 as part of a development proposal that established the Grandview Commons Traditional Neighborhood Development and the underlying General Development Plan to guide the physical development of this property. The subject property slopes downward from a high point at its southeasterly corner approximately 26-feet toward the northwest and the public drainageway. A 90-foot wide noise abatement strip was established along the interstate highway

right-of-way in conjunction with the Grandview Commons final plat. In addition, a 20-foot wide public storm sewer easement is located adjacent to this 90-foot noise abatement strip. An additional storm sewer easement is located in the northwesterly portion of the subject property (see attached proposed certified survey map). A 20-foot high berm with landscape plantings has been constructed within the noise abatement strip. Additional landscape buffering may be installed in conjunction with the proposed development. In addition, this residential development is required to comply with the provisions of TRANS405, Highway Noise Mitigation requirements. The subject property consists of all of Lots 463 and 464, plus the northerly 90-foot of Lot 462, Grandview Commons. A proposed certified survey map is currently under administrative review to assist in the delineation between the skilled nursing home and assisted living facilities and the independent senior housing condominium project. A copy of this proposed certified survey map is included in the Plan Commission packet for reference.

Development Proposal

The applicant requests approval of a rezoning from Planned Unit Development-General Development Plan zoning to Planned Unit Development-Specific Implementation Plan zoning for the property located at 618 and 718 Jupiter Drive to allow for the construction of a 2-story, 100-bed skilled nursing home facility, a 2-story, 72-bed assisted living facility, and a 4-story, 77-unit independent senior housing condominium development on this 7.17 acre site. Both the adopted Land Use Plan and the Sprecher Neighborhood Development Plan as amended recommend this property for low to medium density residential uses. The Grandview Commons General Development Plan has specified a specific range of uses for each of the lots contained within this subdivision. These range from single-family to medium density multi-family to neighborhood commercial uses. The subject lot, including others along the Interstate Highway corridor and a portion of the Cottage Grove Road corridor have been designated for medium density residential uses in larger apartment buildings at an overall net density of 17.6 dwelling units per acre (see attached General Development Plan Concept Plan). Existing and proposed developments range from approximately 17-21.5 dwelling units per acre. A portion of this application will include a skilled nursing home and an assisted living facility. These uses are not considered multiple family dwelling units for the purposes of these density calculations. If conventional multi-family units were constructed on this property, this 7.17 acre parcel could have supported 126 dwelling units. In addition to the skilled nursing home and the assisted living facility, the applicant proposes only 77 independent senior housing units. The underlying Grandview Commons General Development Plan does allow the proposed skilled nursing home and assisted living facilities as permitted uses. Staff concludes that the proposed development does comply with the land uses, density and maximum number of uses authorized within this multiple family residential area.

Site Plan

The proposed development will consist of three buildings, two of which (the skilled nursing home and assisted living facilities) will be attached. The southerly-most structure will accommodate the skilled nursing home facility and will have a ground floor area of 22,770 square feet. This building will be roughly H-shaped. Attached to that structure at its northerly wall will be a 2-story assisted living facility containing a ground floor area of 28,860 square feet plus an enclosed corridor containing 1,515 square feet connecting this building to the independent senior housing condominium structure. The assisted living facility will be

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approximately Z-shaped. These two structures will be located opposite the intersection with Halley Way and will be provided with a common entry courtyard providing motor vehicle access and short-term parking spaces (see attached site plans, pages C1 and C6). The northerly-most building will be 4-stories in height and provide a ground floor area of 31,818 square feet. This building will provide an underground parking garage and contain 77 independent living condominium units for senior residents. This structure will be approximately C-shaped and will also provide a recessed entry corridor opposite Charon Lane for motor vehicle access and short-term parking (see site plan pages C2 and C6 for the configuration of this northerly building). These proposed structures have considerably greater size and mass than other nearby multiple family development, either approved or proposed, within the Grandview Commons Neighborhood Center Residential Districts. The developer has attempted to reduce the visual impact of the building mass by varying architectural elements of the building façades, varying the shape of the proposed structures to provide courtyards and building recesses, in addition to bays and projections on building façades, and to utilize the 26-foot slope of the overall site to help reduce the visual height of the 4-story condominium building. The Urban Design Commission has reviewed the proposed development in context with its form, bulk and architecture, and has recommended initial approval for this development.

Exterior amenities include walkways directly connected to the public sidewalk within the public street right-of-way, 108 surface parking stalls for residents and visitors, plus an additional 16 surface parking stalls at the two main entrances for short-term loading and visitor parking, and 14 exterior bicycle parking stalls. The proposed landscape plan features a sufficient quantity of landscape materials along the site and rear perimeter of the structures, a rain garden at the rear of the assisted living facility, two bioretention areas adjacent to the surface parking lot along the northerly and westerly lot lines, and additional landscape materials surrounding the surface parking facilities, in addition to foundation plantings surrounding the proposed buildings. Additional bicycle parking and motor vehicle parking stalls will be located in the lower level of the independent living condominium building.

Previous development approvals for properties located along the west side of Jupiter Drive, along the Interstate corridor, have been requested to provide a public easement for bicycle and pedestrian path purposes within the 90-foot wide noise abatement corridor. To continue this bicycle and pedestrian path, staff request that the applicant provide an additional easement within the highway noise corridor along the Interstate Highway for this purpose.

Building Plans

The proposed development will include three structures. The skilled nursing facility will be located in the southern-most portion of the subject property. This building will be 2-stories in height with a flat roof. This building will have a partial lower level consisting of mechanical space, storage, offices, examination rooms, physical therapy and other resident services. The main two floors will each provide 22,770 square feet of floor area and accommodate 100 beds. The assisted living facility will be located adjacent to the skilled nursing home and will also be 2-stories with a partial lower level. The lower level will provide food preparation areas, offices, a chapel and meeting room and various space for staff. The main two floors will each provide 28,860 square feet of floor area and will accommodate a total of 72 bedrooms. These two structures will be connected via a common wall. The third structure will be located on the northerly 1/3 of this site and will be 4-stories in height with a hip roof. The full basement of this

building will accommodate 77 off-street parking stalls, bicycle parking and mechanical and storage areas. The four main floors will each accommodate 31,818 square feet and provide a total of 77 independent living condominium units for senior citizens. The intent of the design and detail of these three structures is to reflect the design and materials commonly found in larger multi-family buildings in traditional neighborhood developments. This includes a split face block base, brick veneer and hardiplank siding, precast window sills and decorative horizontal banding, and double hung windows. The specific design details of each of the three structures is unique to reflect the individual usage of each building, however, the overall architectural design is unified and intended to be compatible with both previously approved and yet to be constructed buildings within the Grandview Commons Traditional Neighborhood Development.

Off-Street Parking

The main driveway serving the proposed development will access Jupiter Drive at the northeasterly and southeasterly property corners. This driveway will loop around the proposed buildings and along the foot of the existing noise abatement berm, which runs along the I90-39 corridor. Off-street parking stalls along this main loop driveway will accommodate 108 motor vehicles. Two traffic entry courtyards opposite the Charon Lane and Halley Way intersections will provide visitor access and tenant pick-up and drop-off to the proposed buildings. Short-term parking within these circular courtyards will provide 16 additional off-street parking stalls for a total of 124 surface parking stalls to support this project. The lower level of the senior housing condominium building will provide an additional 77 parking stalls (one per dwelling unit) for a total of 201 off-street parking stalls to serve the proposed development. In addition, bicycle racks will be provided at convenient locations near the proposed senior housing building and in the basement of the condominium structure. It is most likely that none of the residents of the skilled nursing home or assisted living facility will have access to personal motor vehicles. Planning Unit staff feel that the 201 provided off-street parking stalls should be sufficient to serve the 77 independent senior condominiums, employee parking needs and to accommodate visitors to this facility.

Sprecher Neighborhood Development Plan

The proposed development of this property generally complies with the land use and density recommendations contained within the adopted Sprecher Neighborhood Development Plan. The 77-unit multi-family condominiums building for senior residents and the skilled nursing care and assisted living facilities are uses allowed within the multi-family residential concept of the Sprecher Neighborhood Development Plan and the underlying Grandview Commons General Development Plan. This development proposal also generally complies with the R5 General Residence District regulations, which are used for comparative purposes due to the density regulations specified within the adopted General Development Plan.

Urban Design Commission Approval

The Urban Design Commission, at their March 2, 2005 meeting granted initial approval for this development proposal (see attached report). Commission rankings generally ranged from good to very good. This proposal will be returning to the Urban Design Commission for final approval in the near future.

CONCLUSION:

This development proposal for three structures containing a 100-bed skilled nursing home, a 72-bed assisted living facility, and a 77-unit independent senior condominium building generally complies with the provisions of the recommendations contained within the Sprecher Neighborhood Development Plan and the adopted Grandview Commons General Development Plan (see attached documentation). Institutional uses such as nursing homes and assisted living facilities are not generally included within density calculations for multiple family development. Residents of these facilities rarely have high demand for public services to support their occupancy. The proposed senior housing condominiums are, however, expected to utilize neighborhood amenities such as park and open space and public transportation systems. The proposed 77 condominium units will yield an overall density of approximately 10.7 dwelling units per acre on this 7.17 acre site. The underlying Grandview Commons General Development Plan has authorized multiple family development on those lots fronting along the Interstate Highway and Cottage Grove Road corridors at an average density of 17.6 dwelling units per acre. The subject property could have accommodated approximately 126 dwelling units at the maximum authorized density. Staff does acknowledge that the skilled nursing home and the assisted living facility do have some impact on public services and public infrastructure, however, the proposed development does not exceed densities as authorized by the underlying Grandview Commons General Development Plan.

Staff does have concerns regarding the size and mass of the proposed buildings. These institutional structures will be larger than other previously approved and proposed multi-family buildings within the Grandview Commons Neighborhood Center Residential District. The architect for this project has attempted to provide building designs that respect traditional neighborhood design concepts such as locating buildings in close proximity to the public street system and providing strong recognizable building entrances with safe and convenient pedestrian access. These façades are also provided with varying architectural detail and with bay windows to help reduce the overall visual mass of these buildings. In addition, the 4-story senior housing condominium building will be located in the northern-most corner of the subject property, which, due to its 26-foot slope, will reduce the overall height of the roofline of this building, compared to other surrounding multi-family structures. The Urban Design Commission has reviewed the proposed design and exterior features of this proposal and has granted initial approval to this development.

RECOMMENDATIONS:

The Planning Unit recommends that the Plan Commission forward Ordinance, I.D. 00584, rezoning property from PUD(GDP) Planned Unit Development-General Development Plan District to PUD(SIP) Planned Unit Development-Specific Implementation Plan District for property located at 618 and 718 Jupiter Drive to the Common Council with a favorable recommendation, subject to input at the public hearing and the following conditions:

1. Reviewing agency comments.
2. The applicant shall provide a bicycle and pedestrian path easement within the 90-foot wide highway noise abatement corridor to the satisfaction of Traffic Engineering and Parks Division staff. This easement shall be recorded prior to requesting final sign offs on the Planned Unit Development District documents.

**ADDENDUM TO
PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
MARCH 29, 2005**

**ZONING MAP AMENDMENT, I.D. 00584 TO REZONE PROPERTY LOCATED AT 618
& 718 JUPITER DRIVE**

The applicant has requested the approval to rezone property from PUD (GDP) to PUD (SIP) to allow the construction of a 2-story, 100-bed skilled nursing home facility, a 2-story, 72-bed assisted living facility, and a 4-story, 77-unit condominium building for seniors.

The zoning code criteria for approval of Planned Unit Developments includes a standard regarding the “character and intensity of land use” which states that the Planned Unit Development District, uses and their intensity, appearance and arrangement shall be of a visual and operational character which: would not adversely affect the anticipated provision for school or other municipal service unless jointly resolved.

The criteria also include a standard regarding “economic impact.” The code states that the Planned Unit Development District shall not adversely affect the economic prosperity of the City or the area of the City where the Planned Unit Development is proposed, including the cost of providing municipal services.

The submittal requirements for Specific Implementation Plans include the requirement to submit an analysis of economic impact upon the community, agreements, by-laws, provisions or other covenants which govern the organizational structure, use, maintenance, and continued protection of the development and any of its common services, common open areas or other facilities. The Secretary of the Plan Commission may waive any of these submittal requirements, and it shall be deemed that the Plan Commission has waived these requirements if the Specific Implementation Plan is recommended for approval by the City Plan Commission.

The Planning Unit is comfortable with the development proposal as designed and recommended for approval by the Urban Design Commission with one exception. The Planning Unit has asked the owner/operator to provide additional information to the Plan Commission as part of their presentation at the public hearing which will address the ownership and operation of the facility and its tax status. It is our understanding from discussing the project with the architect that this will be a for-profit operation and on the tax rolls. The applicant is moving the nursing beds he has at the Oak Park Nursing and Rehabilitation Center at 801 Braxton Place (Park Street across from Meriter) to this location.

Staff are concerned about the ability of the project to comply with all of the Planned Unit Development criteria and standards, especially those regarding the economic impact of the project and the ability to continue to provide municipal services to the project, in the event that the project becomes tax exempt at some point.

In reviewing applications for other projects that may have a tax-exempt status, such as Attic Angels Prairie Point Project and the Oakwood Village Retirement Center Projects, the staff, Plan

Commission, and Common Council have addressed concerns related to the ability of the project to comply with the PUD standards by placing conditions on the approval of the PUD.

In this case, in order to address the need to find that the ordinance standards are being met, staff believe that the Plan Commission and Common Council should place a condition on the approval of the Specific Implementation Plan and include a condition in the PUD (GDP-SIP) zoning text that requires the property owner to execute an agreement with the City to make a payment reflecting the value of municipal services provided to the proposed new development in the event that the property becomes tax exempt. This condition is necessary to meet the criteria in Section 28.07(6)(f)1.c. and 2.

RECOMMENDATION

The Planning Unit recommends that the following additional condition be added to the approval of the PUD. The applicant shall amend the PUD (SIP) text to require the approval and execution of an agreement with the City to make a payment reflecting the value of municipal services provided to the proposed development in the event the property becomes tax exempt. This agreement shall be approved by the Common Council and executed no later than 120 days after the property or any portion of it becomes tax exempt. A minor alteration to the approved and recorded PUD-GDP for the property shall be approved and recorded that includes this condition. This condition is necessary to meet the criteria in Section 28.07(6)(f)1.c. and 2 of the Zoning Code. In the event that any portion of the property is intended to be run as a non-profit, tax exempt operation immediately, this agreement shall be executed prior to recording the SIP.

AGENDA # V.F.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: March 2, 2005

TITLE: 618 & 718 Jupiter Drive (Oak Park Place, Grandview Commons) - PUD(SIP), Senior and Independent Living, Assisted Care and Skilled Nursing Facility

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: March 2, 2005

ID NUMBER:

Members present were: Paul Wagner, Chair; Todd Barnett, Ald. Steve Holtzman, Michael Barrett, Lisa Geer, Robert March, and Lou Host-Jablonski

SUMMARY:

At its meeting of March 2, 2005, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD(SIP) for three buildings, one four-story and two two-story buildings containing seventy-six independent living residences, sixty-seven assisted living units, and seventy-eight skilled nursing units on property located at 618 and 718 Jupiter Drive. Appearing on behalf of the project was Jerry Bourquin, architect, Brian Munson representing Veridian Homes, Sarah Lerner of L.J. Geer Designs, and Steve Bartell representing Oak Park Place. Munson provided an overview of the proposed project against the overall concept plan for the Grandview Commons Neighborhood/Planned Development. Bourquin provided a detailed overview of enhanced elevations for the three component structures in the facility. Lerner provided an overview of the details of the overall landscape plan, emphasizing the various gathering places around the three component buildings and building entry treatment.

Preceding presentation of the plans, staff noted a copy of a planning staff report relevant to the amended PUD(GDP) for this site which was recently approved by the Commission that allowed for its development for assisted living and nursing home facilities as proposed, and establish conditions relevant to the development of the site as follows:

“Any development of an assisted living and/or nursing home facility be designed so as to be fully integrated into the larger ‘New Urbanist Grandview Commons Development’, which is intended as a mixed-use pedestrian-oriented project and incorporates traditional urban building forms, reduced setbacks, and integrated green spaces.”

It was noted that preliminary reviews of the project by the Planning Unit staff found issues with the project as designed satisfying this provision.

Following the presentation of the plans, the Commission expressed concerns on the following:

- Appreciate the design and architecture of the buildings, along with the integration with community courtyard and open space as well as bicycle accommodations.
- The amount of pavement proposed with this development, when compared to the previous plan, appears excessive.

- The questionable use of vinyl shutters on various elevations of the building over brick, as well as vinyl siding, was questioned, with a recommendation for consideration of hardiplank. Affordability was raised as a counter-point to this request.
- Concern with the amount of vinyl, when as a matter of past practice and approval, with approvals for fiber cement required on lesser buildings; need to provide consistency on an overall quality issue.

ACTION:

On a motion by March, seconded by Ald. Holtzman, the Urban Design Commission **GRANTED INITIAL APPROVAL** of the project. The motion was passed on a vote of (5-1-1) with Barrett voting no and Geer abstaining. The motion required the elimination of vinyl shutters where proposed to be applied over brick.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 6, 6, 6.5, 7, 7 and 9.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 618 & 718 Jupiter Drive (Oak Park Place, Grandview Commons)

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	6	8	8	-	7	6	6.5
	9	8	10	8	-	8	9	9
	-	-	-	-	-	-	-	7
	6	6	7	7	-	7	8	7
	2	7	8	6	-	5	5	6
	6	7	7	5	-	5	7	6
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-

General Comments:

- Site plan/building footprint not quite gelled.
- Nice park-like treatment.
- A project of this scale, for-profit, should incorporate higher quality materials; fiber cement should be a minimum.
- Compare this plan to the developers' original plan – there is three to four times the pavement here. My vote is against the Fire Department. Otherwise, beautiful project!
- Thanks for the improvements.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: March 28, 2005

To: Bill Roberts, Planner III
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 618 & 18 Jupiter Dr., CSM and Rezoning

Present Zoning District: PUD(GDP)

Proposed Use: Oak Park Place is a community with 77 independent living units (130,385 s.f. with one level of below grade parking 32,550 s.f.), a 72 bed assisted living facility (75,540 s.f.) and a 100 bed skilled nursing facility 62,945 s.f.). The three buildings are connected by an internal pedestrian street.

Requested Zoning District: PUD(SIP)

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project).

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide three (10' x 35') loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
2. Provide 63 bike parking stalls for the 77 unit Independent Living Facility in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
3. Provide 25 bike parking stalls (one bike parking stall per each two employees) for the Assisted Living and Nursing Care Facilities in a safe and convenient location on an impervious surface to be shown on the final plan. (The most employees that will be working at any one time). The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
4. Signage needs to be submitted for review and approval by Zoning and Urban Design Commission prior to final submittal of plans.

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5. Provide a detailed landscape plan. Show species and sizes of landscape elements. 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.

6. Lighting plans are required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	68,800 s.f. (Asst. & Nurs) Lt1 <u>100,100 s.f. (Indep. living)Lt 2</u> 168,900 s.f. total	159,299 s.f. (Lot 1) <u>153,081 s.f. (Lot 2)</u> 312,380 s.f. total
Lot width	50' each lot	adequate
Usable open space	52,160 s.f.	adequate
Front yard	20'	10' *
Side yards	11' each side	18' & 63'
Rear yard	30'	adequate
Floor area ratio	n/a	n/a
Building height	--	4 stories

Site Design	Required	Proposed
Number parking stalls	108 Independent Liv. units <u>86 Assisted Lv & nursing</u> 194 total	99 surface <u>77 underground</u> 176 total *
Accessible stalls	3 surface <u>2 underground</u> 5 total	3 surface <u>2 underground</u> 5 total
Loading	3 (10' x 35')	(1)
Number bike parking stalls	63 Independent Liv. Fac. <u>25 Assisted care & nursing</u> 88 Total	(2) and (3)
Landscaping	Yes	(5)

Lighting	Yes	(6)
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Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	Yes
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the R-5 district.



Traffic Engineering Division

David C. Dryer, City Traffic Engineer

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608/266-4761
TTY 608/267-9623
FAX 608/267-1158

March 25, 2005

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer

SUBJECT: **618 & 718 Jupiter Drive – Rezoning – PUD (GDP) to PUD (SIP) – Nursing Home, Assisted Living Facility & 77 Unit Senior Apartments**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The applicant shall contact the Department of Planning and Development to comply with M.G. O. Sec. 16.23(3)(d)--Highway Noise Land Use Provisions policies and ordinances.
2. In order to comply with M.G.O. Sec. 16.23(3)(d)--Highway Noise Land Use Provisions-- and before a building permit shall be issued, the applicant shall submit plans to the Traffic Engineer which show the noise barrier as built and relate and coordinate the certified noise site study report with grades, each corner of the building, outdoor living area or open space on the lot. These plans shall also include plans and specifications (e.g., manufacture's specifications for windows, doors, walls, etc.) identifying the sound attenuation measures to be incorporated into design and construction of the structure to reduce the interior traffic induced sound level to 52 dBA or less in the habitable rooms. Finally, the site plans shall be certified (stamped) by a Licensed Architect or Engineer accompanied by the following caption: "Structure meets the interior sound level criteria (52dBA or Less) as set forth in M.G.O. Sec. 16.23(3)(d)-- Highway Noise Land Use Provisions.
3. The applicant shall show the noise abatement earth berm and elevations as approved on the site plan. The applicant shall note slope and cross sections as approved with Noise Abatement Model across the lot.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

4. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., 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, and a scaled drawing at 1" = 20'.
5. The Applicant shall provide scaled drawing at 1" = 20' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semi trailer and vehicle movements, ingress/egress easements and approaches.
6. The applicant shall modify the driveway approaches according to the design criteria for a "Class III" driveway in accordance to Madison General Ordinance Section 10.08(4).
7. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
8. The applicant should show the dimensions for proposed and existing surface and underground parking stalls' items A, B, C, D, E, and F, and for ninety-degree angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2.
9. "Stop" signs shall be installed at a height of seven (7) feet at all driveway approaches 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.
10. The Developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
11. 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 John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Jerry Bourquin

Fax: 608-229-4445

Email:

DCD:DJM:dm



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: March 23, 2005

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 618-718 Jupiter Drive Planned Unit Development (SIP)

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Site plan shall be revised to show existing infrastructure improvements on Jupiter Drive and Halley Way.
2. A stormwater management plan has been submitted that is acceptable. However, a maintenance agreement must be recorded as well as an agreement for use of the public easement.
3. Plan shall be revised to show utilities on Jupiter Drive and Halley Way as being existing.
4. Private sanitary main connection to City manhole will require an outside drop in conformance with City Specifications.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments
and Conditional Use Applications.**

Name: 618-718 Jupiter Drive Planned Unit Development (SIP)

General

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions,

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demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.

- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 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.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations,

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tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.

- 3.11 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.
- 3.12 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 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.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.5 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.6 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.
- 4.7 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
- 4.8 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.
- 4.9 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 Co Register of Deeds.
- 4.10 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.
- 4.11 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.
- 4.12 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.13 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain 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.)

NOTE: Email file transmissions preferred Izenchenko@cityofmadison.com . Include the site address in this transmittal.

- 4.14 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 3/16/05
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **618 & 718 Jupiter Dr.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Building appears to be over 30 feet in height. Provide aerial access per Comm 62.0509 and MGO 34.19. Please take into account the street parking on Jupiter Dr (8 feet).

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure.
 - c. Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - d. Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
 - e. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt



Department of Planning & Development
 Planning/Inspection/Real Estate/Community & Economic Development
 Mark A. Olinger, Director

Bradley J. Murphy
 Planning Unit
 215 Martin Luther King, Jr. Boulevard
 P.O. Box 2985
 Madison, WI 53701-2985
 (608) 266-4635

REVIEW REQUEST FOR:

- PRELIMINARY
- FINAL PLAT
- LOT DIVISION
- CONDITIONAL USE
- REZONING
- INCLUSIONARY ZONING.
- OTHER: _____

618 & 718 JUPITER DRIVE
 RZ : PUD(LDP) → PUD(SIP)
 NURSING HOME, ASSISTED LIVING FACILITY & 77th SENIOR UNIT
 APARTMENT BUILDING
 SCOTT FRANK / JERRY BOURQUIN - DIMENSION IV - MADISON

PLANNING UNIT CONTACT: Pete Olson

RETURN COMMENTS BY: 25 MARCH 2005

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: _____ Fax: 229-4445

Date Submitted: 15 FEBRUARY 2005 Plan Commission: 04 APRIL 2005

Date Circulated: 15 FEBRUARY 2005 Common Council: 19 APRIL 2005

CIRCULATED TO:

- ZONING
- FIRE DEPARTMENT
- PARKS DIVISION
- TRAFFIC ENGINEERING
- CITY ENGINEERING
- WATER UTILITY
- CDBG - HURIE
- REAL ESTATE - D. WARREN

- DISABILITY RIGHTS - SCHAEFER
- POLICE DEPT. - THURBER
- CITY ASSESSOR - SEIFERT
- MADISON METRO - SOBOTA
- BOARD OF EDUCATION C/O SUPT.
- PUBLIC HEALTH - K. VEDDER
- NEIGHBORHOOD ORGANIZATION

- ALD. _____ DIST. _____
- MADISON GAS & ELECTRIC
- ALLIANT ENERGY
- SBC
- MID PLAINS TELE
- MT. VERNON TELE

- Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.
- One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.
- The above is located in your district. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.
- The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.
- A resolution will be before the Common Council within a few weeks regarding this matter.

RETURN COMMENTS TO: PLANNING UNIT, DEPARTMENT OF PLANNING & DEVELOPMENT

NO COMMENTS / YOUR COMMENTS:



Department of Public Works
Parks Division

Madison Municipal Building, Room 120
215 Martin Luther King, Jr. Boulevard
P.O. Box 2987
Madison, Wisconsin 53701-2987
PH: 608 266 4711
TDD: 608 267 4980
FAX: 608 267 1162

March 23, 2005

TO: Plan Commission
FROM: Simon Widstrand, Parks Development Manager
SUBJECT: 618 – 718 Jupiter Drive

S.W.

1. The developer shall provide a running count of the units in this plat, to determine how much of the previously paid park fees this project will use.
2. Park fees are only required for the independent living units. If these units are deed restricted to elderly occupants, the park fees are calculated at a reduced rate.

ELDERLY DEED RESTRICTION TEXT (required to receive the reduced elderly rate on park fees)

In re: (LEGAL DESCRIPTION), in the City of Madison, Dane County, Wisconsin ("the "Property").

This Deed Restriction for Housing for Older Persons (hereinafter "Deed Restriction") is made this _____ day of _____, 20____

In consideration of the approval by the City of Madison, a Wisconsin municipal corporation, of the rezoning of the Property from _____ to _____ for a _____ unit senior housing development, same being conditioned upon the execution and recording of this Deed Restriction. (OWNER) hereby subjects the Property to the following deed restriction:

All residential units constructed, owned, leased and otherwise operated upon the Property shall comply with the definition of "Housing for Older Persons" as that term is defined in 42 U.S.C. §3607(b) or §106.50(lm)(m) and §106.50(5m)(a)1e Wis. Stats., as those sections are from time to time amended.

This Deed Restriction is made solely for the benefit of the City of Madison, may be enforced solely by the City of Madison, and may, upon the request of the then (OWNER) of the Property, be released by the City of Madison.

This Deed Restriction shall be binding upon (OWNER) and its successors and assigns and shall run with the land.

Parcel No. _____
(Parcel Identification Number)

If you have questions regarding the above items, please contact Simon Widstrand at 266-4714 or awidstrand@cityofmadison.com

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CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 3/16/05
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **618 & 718 Jupiter Dr.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Building appears to be over 30 feet in height. Provide aerial access per Comm 62.0509 and MGO 34.19. Please take into account the street parking on Jupiter Dr (8 feet).

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure.
 - c. Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - d. Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
 - e. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

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McClellan Park
Neighborhood Association

March 25, 2005

City of Madison Plan Commission
Attn: Pete Olson, Planning Unit
215 Martin Luther King Jr. Boulevard
P. O. Box 2985
Madison, WI 53701-2985

Re: Oak Park Place (618 & 718 Jupiter Drive, Madison)

To Members of the City Plan Commission:

This letter constitutes the response of the McClellan Park Neighborhood Association (MPNA) to the proposed rezoning, and related requests, for the proposed development known as "Oak Park Place," a complex within the Grandview Commons subdivision involving independent senior living condominiums, an assisted living facility, and a skilled nursing home. The affected property falls within the boundaries of the MPNA. We are sharing these comments, by copies of this letter, with Mr. Steve Bartlett, contact person for Oak Park Place, and District 3 Alderperson Warren Onken.

The MPNA Development Committee met with Mr. Jerry Bourquin, Dimension IV – Madison, Mr. Scott Frank, proposed owner/operator of the assisted living and skilled nursing facilities, and Mr. Steve Bartlett, Capital Investment Partners, on March 16, 2005 at the Dean Clinic East. At that meeting, the three representatives shared information related to the planned development and willingly answered the many questions we had.

The MPNA supports the rezoning request and planned development of "Oak Park Place." We feel it is consistent with how we would like our neighborhood to grow, incorporating a senior facility into a mix of single-family homes, multiple-unit residences, retail, businesses, and park areas. We ask that you, along with the Oak Park Place developers, please take note of the following comments and concerns we have regarding this new development:

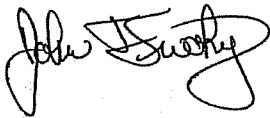
- 1) View – We are committed to the preservation of the view from the park on North Star Drive, at the highest point of Grandview Commons. The proposed height of the three units of Oak Park Place, due to lower elevations, will not obstruct that view. However, we request that the rooftops, particularly that of the skilled nursing home, be designed to not detract from the view. That nursing home rooftop will be flat with a membrane/small rock covering. We ask that the rocks used be earth-tone in color so the aesthetics of the view will not be adversely affected by the appearance of that rooftop.
- 2) Retention Pond – A water retention pond lies to the immediate north of the proposed development site. Oak Park Place plans to use this as a primary gathering point for water run-off from their buildings and parking lots, as will properties to the south. We understand and agree with this approach. We urge Oak Park Place to ensure that the pond will remain as a pleasant place for the neighborhood to enjoy. We would like to

see further development of the area surrounding the pond to include bike/walking paths, wildlife, greenery, etc. We would hope that the management of the water runoff will not result in insects, mud, or other undesirable outcomes. We assume that the City will enforce the appropriate requirements regarding protection of the environment for Oak Park Place and the other properties.

- 3) Parking Lots – Oak Park Place plans to build surface parking lots to accommodate approximately 130 cars, along with underground parking for 77 additional vehicles under the condominium tower. We support the provision of off-street parking for all staff, residents, and visitors.
- 4) Bus Service – Extension of Madison metro bus service to the neighborhood is becoming increasingly important as the residential population grows and commercial development occurs. The MPNA strongly supports the addition of our neighborhood to the routes served by Madison Metro. We understand that many of the staff of the current Oak Park Nursing and Rehabilitation Center on Braxton Place, who will be relocated to the new facility, are regular bus riders. To this end, we urge the City to plan for the extension of Metro service to Grandview Commons and the McClellan Park Neighborhood in the near future.

Thank you for your consideration of our comments. Please feel free to contact me or Alan Sweet, MPNA Development Committee Chair, on any matters affecting development within the McClellan Park Neighborhood.

Sincerely,



John Tuohy, President
McClellan Park Neighborhood Association

506 Traveler Lane
Madison, WI 53718
tuohys@charter.net

Cc: Alan Sweet
6321 Buford Drive
Madison, WI 53718
2sweets@charter.net

Steven C. Bartlett, CCIM, SRES
Capital Investment Partners
100 Wilburn Rd., Suite 107
Sun Prairie, WI 53590
sbartlett@tds.net

Warren Onken, Alderperson
District 3