



Department of Planning & Community & Economic Development

Planning Division

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February 5, 2016

Ulian Kissiov
476 Presidential Lane
Madison, WI 53711

RE: Approval of a zoning map amendment rezoning **841 Jupiter Drive and 818 North Star Drive** to amended PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan) to allow for the development of a 54-unit apartment building and associated alterations.

Dear Mr. Kissiov:

At their February 2, 2016 meeting, the Common Council approved your client's zoning map amendment request rezoning 841 Jupiter Drive and 818 North Star Drive to amended Planned Development-General Development-Specific Implementation Plan (PD-GDP-SIP) to allow for the development of a 54-unit building on 841 Jupiter Drive and associated alterations to 818 North Star Drive. 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 Brenda Stanley, City Engineering Division, at 261-9267 if you have questions regarding the following fifteen (15) items:

1. 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.
2. The proposed storm sewer crosses lot lines. Explain the arrangement for multiple lots served by the same private storm. Provide agreement if necessary.
3. 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.
4. 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)
5. 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.

6. 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 (East) or troester@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.

7. 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))
8. 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))
9. 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 troester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
10. 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/constrformsinfo.htm> (NOTIFICATION)

11. 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.
12. 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)
13. 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)
14. 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)
15. 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)

Please contact Jeff Quamme, City Engineering Division - Mapping, at 266-4097 if you have questions regarding the following six (6) items:

16. 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.
17. 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.
18. 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.
19. The Existing Conditions plan shall show all property lines and easements of record.
20. Submit a PDF of all floor plans to 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.

21. 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.

Please contact Eric Halvorson, Traffic Engineering Division, at 266-6572 if you have questions regarding the following eight (8) items:

22. 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.)
23. 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.
24. 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.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
26. Traffic Engineering will no longer be accepting paper plans; to ensure a timely review all submittals will include an electronic copy (.pdf preferred).
27. "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.
28. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang.
29. 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

Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have questions regarding the following two (2) items:

30. The proposed property lines do not the recorded property lines. Coordinate with the project at 818 North Star Drive.
31. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503, as follows:
 - a. Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28-feet.
 - b. The fire lane grades shall not exceed 8%.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have questions regarding the following nine (9) items:

32. 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. *
33. 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. 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. *

*** Upon written request of the applicant, the Common Council granted a waiver to Section 28.141(11)(f) to allow up to 75% of bicycle parking for the project to be structured parking, vertical parking or wall mount parking, and for the requirement in that sub-section that a five-(5) foot access aisle be provided for wall mount parking be waived.**

34. 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.
35. 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.
36. 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.

37. 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.
38. 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).
39. 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.
40. 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.

Please contact Janet Schmidt, Madison Parks Division, at 261-9688 if you have questions regarding the following item:

41. 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.

Please contact my office at 267-1150 if you have questions regarding the following five (5) items. Please note condition 46 was amended by the Common Council at their February 2 meeting.

42. 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.
43. 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.
44. 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.
45. That the applicant provides further detail on the retaining wall details, for staff approval.
46. HVAC "wall-pack" penetrations/louvers shall be limited to those shown on the plans recommended for approval by the Urban Design and Plan Commissions and approved by the Common Council. 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 Planned Development should they be proposed at a later time.

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 nine (9) 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. This submittal shall all also include one complete digital plan set in PDF format.

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

841 Jupiter Drive and 818 North Star Drive

February 5, 2016

Page 8

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, Parks Division

Jenny Kirchgatter, Zoning

Bill Sullivan, Madison Fire Department

Eric Halvorson, Traffic Engineering Division

Brenda Stanley, Engineering Division

Jeff Quamme, Engineering Division - Mapping

| 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: |