



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

September 24, 2014

Ulian Kissiov
476 Presidential Lane
Madison, Wisconsin 53719

RE: Approval of a conditional use for a multi-family dwelling to allow construction of an apartment building containing 100 units on property generally addressed as 10202 Rustling Birch Road (Lot 1 of the Birchwood Point subdivision)

Dear Mr. Kissiov;

At its September 22, 2014 meeting, the Plan Commission found the standards met and **approved** your conditional use for a 100-unit apartment building at 10202 Rustling Birch Road subject to the conditions of approval in the following sections, which shall be satisfied prior to issuance of building permits for the project.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following seventeen (17) items:

1. The east building will use the base address of 10202 Rustling Birch Road. The center section with office and community rooms will use a base address of 10206 Rustling Birch Road. The west building will use the base address of 10210 Rustling Birch Road.
2. Show and label the 12-foot wide utility easement on the site plans located on the perimeter of the lot per the plat of Birchwood Point.
3. The developer shall provide a pumping plan for both underground parking areas showing they have capacity for the 100-year event. Plan shall be stamped by a Professional Engineer or Master Plumber and submitted to City Engineering.
4. Sanitary sewer is currently not available to this property. The City expects to have sewer available by mid to late May of 2015. The applicant will not be allowed occupancy permits until the development is connected to the public sewer system.
5. Add a note to the plan as follows: "All work in the right of way shall be constructed in accordance with the City issued plans for 53B2382."
6. 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.

7. In accordance with 10.34 MGO – Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping (Lzenchenko@cityofmadison.com) so that an 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.
8. This development is subject to impact fees for the Lower Badger Mill Creek Sanitary Sewer Lift Station, Sanitary Sewer Interceptor and Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued.
9. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
10. A City-licensed contractor shall perform all work in the public right of way.
11. All damage to the pavement on future Sugar Maple Lane and Rustling Birch Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
12. 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.
13. 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.
14. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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 MGO.
16. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and

right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following four (4) items:

18. 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 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
19. 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.
20. 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.
21. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following five (5) items:

22. Provide a minimum bike parking spaces for each building distributed as both *Short Term* and *Long Term* bicycle parking, as required per MGO Sections 28.141(4) and 28.141(11). Provide a detail of the bike rack design including any wall mounts. NOTE: Current code requires a maximum of 25% of the bike parking spaces may be structured bike parking (wall-mount or stacked). Required long-term bicycle parking located within dwelling units or within deck, patio areas, or private storage areas accessory to dwelling units shall not count toward the required bicycle parking. Call out and dimension required stalls on the final plan. NOTE: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Provide a detail of the bike rack to be installed on the final plans.
23. Provide lot coverage details and usable open space details on final plans.
24. Pursuant to MGO Section 28.142(3), Landscape Plan and Design Standards: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.

25. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Code prior to sign installations.
26. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

27. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

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

28. Park impact fees, comprised of the Park Development Impact Fee per MGO Sec. 20.08(2), will be required for this new residential development. Parkland dedication requirements have been met with the dedication of Outlots 6 and 9 in the Birchwood Point plat. The developer must select a method for payment of park fees before signoff on the conditional use. This development is within the Elver park impact fee district (SI31). Please reference ID# 13161.1 when contacting Parks Division staff about this project.
29. Approval of plans for this 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 of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:

30. Coordinate street trees along the proposed aerial access lanes or relocate the aerial access lane onto the project property.
31. Ensure that the private water main complies with MGO Section 34.507 for minimum size.

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

32. No HVAC or utility penetrations on the building shall face Sugar Maple Lane or Rustling Birch Road. Any HVAC or utility penetrations elsewhere on the exterior of the building should be designed to be perpendicular to the facades to limit their visibility to the greatest extent possible.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining permits for your project:

1. After the plans have been revised per the above conditions, please file **nine (9) sets** of complete, fully dimensioned, and to-scale plans, 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 Zoning staff to the City department staff listed above for their final approval.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.

3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
 Planner

cc: Janet Schmidt, City Engineering Division
 Eric Halvorson, Traffic Engineering Division
 Pat Anderson, Asst. Zoning Administrator
 Kay Rutledge, Parks Division
 Dennis Cawley, Madison Water Utility
 Bill Sullivan, Madison Fire Department

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 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: