



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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July 27, 2017

Justin Frahm
JSD Professional Services, Inc.
7402 Stone Ridge Drive, Ste. 4
Weston, WI 54476

RE: Legistar ID #'s 47238 & 46971 | Accela ID: 'LNDUSE-2017-00042' -- Approval of two Zoning Map Amendments to rezone the eastern resulting lot (CSM Lot 1) from the A (Agricultural) District to the TR-U1 (Traditional Residential - Urban 1) District and the western resulting lot (CSM Lot 2) from the A (Agricultural) District to the CC (Commercial Center) District; as well as three Conditional Uses (for a residential building complex, for a multi-family dwelling containing more than 8 dwelling units, and for accessory outdoor recreation) in order to construct a residential building complex containing 189 apartment units in three buildings with clubhouse at **3601 Cross Hill Drive**.

Dear Mr. Frahm:

At its July 18, 2017 meeting, the Common Council **approved** your client's request to rezone property at 3601 Cross Hill Drive rezone the eastern resulting lot (CSM Lot 1) from the A (Agricultural) District to the TR-U1 (Traditional Residential - Urban 1) District and the western resulting lot (CSM Lot 2) from the A (Agricultural) District to the CC (Commercial Center) District. Upon recommendation of the Plan Commission, the Common Council **approved** an Amendment to the Nelson Neighborhood Development Plan to change the recommended land use from employment to residential for the property at 3601 Cross Hill Drive. At its July 10, 2017 meeting, the Plan Commission **approved** the related conditional use requests: for a residential building complex, for a multi-family dwelling containing more than 8 dwelling units, and for accessory outdoor recreation. In order to receive final approval of the rezoning and conditional use requests, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact Brenda Stanley, City Engineering Division, at (608) 261-9127 if you have questions regarding the following twenty-four (24) items:

1. If the proposed development needs to drain the private sewer to the north, sanitary sewer impact fees will become due. If the developer is able to provide gravity drainage to Cross Hill Road, no City sanitary sewer impact fees will become due.
2. 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 5.0 tons per acre per year.

3. This project is required to maintain existing detention in the road ROW and integrate that with SWM on their property in a manner that the road portion of the system can be removed at a future time without significant impact to the system on private property.
4. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
5. 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)
6. Applicant shall dedicate a 10' wide private sanitary sewer easement across the proposed lot #2 to the west as a condition of plan approval.
7. 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 ttroester@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.

8. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))
PDF submittals shall contain the following information:
 - a) Building Footprints
 - b) Internal Walkway Areas

- c) Internal Site Parking Areas
 - d) 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) Stormwater Management Facilities
 - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
9. 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))
10. 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 ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hr, 100-yr design storm. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
12. 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 Rortved at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates.

14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
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 provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
16. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
17. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
18. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
19. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
20. The Applicant shall Construct street & sidewalk to a plan approved by the City
21. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering 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. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)
22. The approval of this zoning approval 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. (MGO 16.23(9)(d)(6))
23. 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)
24. 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)

Please contact Jeff Quamme, City Engineering Division - Mapping, at (608) 266-4097 if you have questions regarding the following five (5) items:

25. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
26. The lots for the pending Certified Survey Map are inter-dependent upon one another for stormwater runoff conveyance, and a private drainage system exists for the entire site. An agreement shall be provided setting forth the rights and responsibilities of the 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 prior to final sign off.
27. A Public Temporary Storm Water Management Easement shall be provided at the southeastern corner of the site for the Regional Pond Interim Condition proposed within this lot. This may be accomplished on the pending Certified Survey Map. Contact Jeff Quamme for the required language.
28. Submit a PDF of all floor plans for each separate building to Lori Zenchenko (Lzenchenko@cityofmadison.com); so that a preliminary building and preliminary interior addressing plan can be developed prior to plans being submitted for a 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.
29. 3601 Cross Hill Dr. will not be used for any addresses in this apartment complex. Building addresses TBD when floor plans PDF's are received and the addressing plan is created. 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.

Please contact Eric Halvorson, Traffic Engineering Division, at (608) 266-6527 if you have questions regarding the following six (6) items:

30. The eastern entrance and driveway are of atypical design due to the retention pond that exists in the Cross Hill Drive Right-of-Way that will not be removed until such time as the lands to the east are developed. Once this condition has been resolved the City will extend Cross Hill Drive to the east and reconstruct the entrance to conform with City standards. At this time the applicant shall, at their own expense, reconstruct the driveway on their property to align with the reconstructed entrance and submit an updated site plan showing the new conditions. Additionally, the applicant shall note the above condition on the site plan.
31. The applicant shall provide a TIA to be reviewed by Traffic Engineering. After the TIA has been reviewed Traffic Engineering will provide comments to the Plan Commission. (TIA has been reviewed and approved by TE 6/30/17)

32. 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.
33. 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.
34. 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.
35. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Please contact Bill Sullivan, Madison Fire Department, at (608) 261-9658 if you have questions regarding the following item:

36. MFD does not object as long as the project complies with all applicable building and fire regulations. As currently indicated, Building A & B will be (1) building/structure per the building and fire codes. MFD expects systems to be designed accordingly.

Please contact Jenny Kirchgatter, Zoning Division, at (608) 266-4429 if you have questions regarding the following eight (8) items:

37. On the site plan, show the proposed building setback distances measured from the property lines.
38. Provide the minimum required number of bicycle parking spaces for Buildings A, B, and C distributed as both Short Term and Long Term bicycle parking, as required per Sections 28.141(4) and 28.141(11). For a multi-building development, bicycle parking shall be provided for each building. For Building C, a minimum of 70 resident bicycle stalls are required plus 7 guest stalls. A minimum of 90% of the resident stalls (63 stalls) shall be designed as long-term parking located within the building, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking.
39. Relocate the bicycle stalls placed between buildings A and B and adjacent the clubhouse to an area(s) outside of the 15-foot front yard setback. Bicycle stalls are not allowed encroachments into the required front yard setback. Identify and dimension the surface and underground bicycle stalls, including the access aisles, on the final plans. A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. The access aisle may not be obstructed by vehicles, columns or other structures. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.

40. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
41. Provide details of the pool, pool deck, terrace seating areas, gathering spaces and other site amenities.
42. Work with Planning and Zoning staff to provide an appropriate transition area between the residential building complex and the adjacent properties to the north and east. Per the supplemental regulations for a residential building complex (Section 28.151), an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
43. 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.
44. 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. 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 (608) 261-9688 if you have questions regarding the following two (2) items:

45. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(6) will be required for all new residential development associated with this project. This development is within the East Park -Infrastructure Impact Fee district. Please reference ID# 17125 when contacting Parks about this project.
46. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

Please contact Adam Wiederhoeft, Water Utility, at (608) 266-9121 if you have any questions regarding the following two (2) items:

47. Water Utility contact information/phone numbers do not direct to Madison Water Utility - revise Utility Note 12 on sheet C300.
48. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working day's notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Tim Sobota, Metro Transit, at (608) 261-4289 if you have any questions regarding the following item:

49. Metro Transit provides daily bus service along High Crossing Boulevard, at stops in the Cross Hill Drive intersection. Trips operate every thirty minutes from roughly 7am through 10pm.

Please contact me at (608) 261-9135 if you have any questions regarding the following two (2) items, including Condition #51 which was added by the Plan Commission at their July 10, 2017 meeting:

50. In order to satisfy residential building complex supplemental regulation (d) which states: "an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood", the applicant shall work with Planning and Zoning Staff on the design of the buffer – be it of a wooden fence and/or landscaping – before final sign off.

51. That public sidewalk shall be installed along High Crossing Boulevard on Lot 2 of the proposed CSM (currently 3601 Cross Hill Drive) in order to provide necessary pedestrian connections to this residential building complex with details to be approved by City staff. The Plan Commission's intent with this condition is that this sidewalk extension occur concurrently with the development of the conditional use on Lot 1. Prior to final the approval and recording of the Certified Survey Map, the applicant shall coordinate with City Engineering and other agencies to develop into the necessary agreements to complete the sidewalk extension along High Crossing Boulevard.

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

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 me, the Acting Urban Design Commission Secretary, at (608) 261-9135 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, 126 S. Hamilton Street. 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.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at (608) 266-4551. If I may be of any further assistance, please do not hesitate to contact me at (608) 261-9135.

Sincerely,



Chris Wells
Planner

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"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other:

cc: Brenda Stanley, Engineering Division
Jeff Quamme, Engineering Division – Mapping
Eric Halvorson, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Jenny Kirchgatter, Zoning Division
Janet Schmidt, Parks Division
Adam Wiederhoeft, Water Utility
Tim Sobota, Metro Transit