



Department of Planning & Community & Economic Development

Planning Division

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October 20, 2022

Mark Laverty
Saturday Properties
3546 Dakota Ave S, Ste D
St. Louis Park, MN 55416

RE: Legistar ID 72364 & 72877; Accela 'LNDUSE-2022-00060' -- Approval of a zoning map amendment, demolition permit, and conditional uses for two mixed-use buildings at 575 Zor Shrine Pl

Dear Mark Laverty:

At its August 29 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional uses for a five-story apartment building at **575 Zor Shrine Place**. At its September 6 meeting, the Common, meeting in regular session, found the standards met and approved your request for a zoning map amendment from SE to TR-U2. In order to receive final approval of your requests, and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact my office at (608) 243-0455 if you have any questions regarding the following two (2) items:

1. Prior to final sign-off of the conditional use, the applicant shall receive a recommendation of final approval of the Urban Design Commission, addressing the below points. The UDC should review and make its decision based on the approval standards for residential building complexes and note that their recommendation is appealable to the Plan Commission.
 - The applicant shall provide details on the screened-in porch railing and screening materials.
 - The applicant shall provide details of the material transitions at the balconies, including the returns of material around the porch corner.
 - In areas where there are long expanses of lap siding, alternative façade treatments shall be explored, including utilizing trim, modifications to punched openings, balconies, etc. to reduce the expanse of lap siding.
 - The applicant shall refine the building design to include a positive termination at the top of the building. Consideration should be given to incorporating a cap on top.
 - The applicant shall provide additional information on the tree species and conditions of the existing trees on site. If appropriate, consideration should be given to the preservation of the existing trees.
 - Consideration should be given to the necessity of the use of screened-in porches above the 2nd floor and whether they need to be enclosed.
 - The landscape plan shall be updated in address of landscape comments as noted below:
 - Utilize alternatives to the Yellow Birches, such as White Spire Birch or River Birch.
 - Use Serviceberry in-lieu of the Firebird Crabapples at the amenity deck seating area.
 - Placing the Spring Snow Crabapples along the front sidewalks.

- Add more pops of color with gold varieties of low Creeping Juniper, Colored Twig Dogwood, Willow or Serviceberry.
 - Add to the perennial drifts with something like Blackeyed Susans or Liatris for more plants and more color.
2. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be proposed at a later time.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following six (6) items:

3. The applicant proposes a front yard setback maximum greater than 30 feet. Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
4. Provide electric vehicle stalls per Section 28.141(8)(e) *Electric Vehicle Charging Station Requirements*. A minimum of 10% of the residential parking stalls (12 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (2 stalls) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans and add the stall counts to the parking summary table.
5. 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.
6. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
7. 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.
8. 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 Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following fourteen (14) items:

9. Applicant shall submit projected wastewater flow calculations for the development to Mark Moder, mmoder@cityofmadison.com. Offsite sanitary sewer improvements may be required as a condition for development.
10. The proposed apartment development connects to a private sanitary sewer that crosses the south portion of the lot being developed. The City does not have record of this sewer facility and does not maintain it. All maintenance (cleaning, repair, and replacement of the private sewer main) is the responsibility of the properties connected to this private sewer facility. Verifying the condition the private sewer is recommended.
11. This area is within a watershed study for flood mitigation and has a known flooding risk. The developer's engineer shall work with City staff to update their flood analysis for this property. Upon updating the modeling lowest building opening elevation will be provided. This elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with. The low building elevation will also dictate the elevation for the underground parking.
12. It appears that this site takes water from the west. Those flows must be accounted for in the updated flood model and managed so it safely passes the drainage without adversely impacting the westerly property.
13. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
14. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit a deposit to cover estimated City expenses will be required.
15. 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))
16. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO 10.05(6)), MGO 35.02(4)(c)(2)), and MGO 37.05(7))
17. An Erosion Control Permit is required for this project. See Storm comments for permit specific details

and requirements.

18. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
19. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
20. 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>.
The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
21. Adjacent paths to this project are being constructed per developer agreement. Final paving shall be completed by the City's contractor. Coordinate building construction and site plan with both contractors.
22. 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 100-yr design storm that is current in Madison General Ordinance Chapter 37. 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.
23. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
24. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
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.

25. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Unintended detention: If the plat or subdivision has an enclosed area with provides existing storage, the existing storage will need to be accounted for in addition to meeting the requirements for detention.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

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.

26. 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).

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

27. Correct the configuration of the proposed Bike and Pedestrian path easement along the southerly side of this site per the proposed CSM.
28. This parcel and adjacent parcels within this development are dependent on each other for overland and subsurface storm water drainage. The proposed Declaration of Storm Water Easements shall be executed and recorded prior to building permit issuance.

29. The address of the proposed building is 560 Zor Shrine Pl. 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.
30. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
31. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the Verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said application. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following thirteen (13) items:

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 to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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).
36. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

37. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
38. 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 at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
39. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
40. The parking ramp, as it approaches the path, shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
41. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by DeAndre Newson, (266-4768, dnewson2@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
42. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
43. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign 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.
44. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.

Please contact Bill Sullivan of the Fire Department at (608) 866-4691 if you have any questions regarding the following three (3) item:

45. IFC 903.3 Provide a sprinkler system in compliance with NFPA 13.

46. MGO 34.503(4) Provide aerial access equivalent to a minimum of one entire side but no less than 25% of the building perimeter.

47. Provide elevators that can accommodate ambulance stretchers in accordance with IBC 3002.4.

Please contact Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following one (1) item:

48. 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(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 21018 when contacting Parks about this project

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

49. The proposed water service is shown to be connecting to a future private water service which not allowed. Revise the Utility Plan to show the proposed water service connecting to the public water main.

50. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days 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/plumbers-contractors>), 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 of Metro Transit at (608) 261-4289 if you have any questions regarding the following one (1) item:

51. By Summer of 2023, Metro Transit anticipates only operating daily transit service along Mineral Point Road at the High Point Road intersection, that is up to 3/4 of a mile walking distance from the proposed buildings. Existing transit service along West Towne Way and across West Towne Mall property has been identified for elimination.

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 your demolition permit and conditional use:

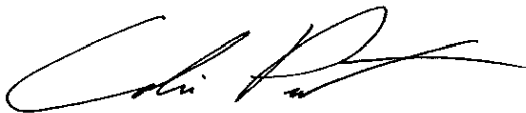
1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review

application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at SPRapplications@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options) 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 to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
3. The conditional use approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
4. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for 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 City Plan Commission and the conditional use approval standards.
5. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,



Colin Punt
Planner

cc: Jenny Kirchgatter, Asst. Zoning Administrator
Tim Troester, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping
Sean Malloy, Traffic Engineering Division
Bill Sullivan, Fire Department
Jeff Belshaw, Water Utility
Ann Freiwald, Parks Division
Tim Sobota, Metro Transit

I hereby acknowledge that I understand and will comply with the above conditions of approvals.

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2022-00060			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Punt)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coord. (R&R)
☒	Fire Department	☒	Water Utility
☒	Metro Transit	☐	Other: Forestry