

PLANNING DIVISION STAFF REPORT

November 13, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 9454 Spirit Street, aka 353 Bear Claw Way (District 9, Alder Conklin)
Legistar File ID #: [79970](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Owner: Ryan McMurtrie; United Financial Group, LLC; 660 W Ridgeview Drive, Appleton, WI 54911

Contact: Kevin Burrow; Knothe & Bruce Architects; 7601 University Avenue, Suite 201, Middleton, WI 53562

Requested Action: Consideration of a conditional use in the Suburban Residential-Varied 2 (SR-V2) District for a multi-family dwelling with 37-60 units at 9454 Spirit Street.

Proposal Summary: The applicant proposes to construct a three-story, 59-unit residential building.

Applicable Regulations & Standards: Standards for conditional uses are found in Section 28.183(6) M.G.O.

Review Required By: Urban Design Commission and Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and approve the request to allow a multi-family building with 59 units at 9454 Spirit Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 112,889 square-foot (2.6-acre) parcel is bounded by Elderberry road to the north, Bear Claw Way to the west and Spirit Street to the south. It is located within District 9 (Alder Conklin) and the Middleton/Cross Plains School District.

Existing Conditions and Land Use: The subject parcel is vacant. It is zoned Suburban Residential-Varied 2 (SR-V2) District.

Surrounding Land Use and Zoning:

North: Across Elderberry Road, single family residences, zoned Traditional Residential-Consistent 1 (TR-C1) District and Suburban Residential-Consistent 2 (SR-C2) District; undeveloped land in the Town of Middleton;

East: Single family residences, zoned Traditional Residential – Consistent 3 (TR-C2) District;

South: Across Spirit Street, undeveloped land, zoned Suburban Residential-Varied 2 (SR-V2) District; three multifamily residential buildings, zoned Suburban Residential-Varied 2 (SR-V2) District; Blackhawk Church, zoned Planned Development (PD) District; and

West: Across Bear Claw Way, undeveloped land, zoned Traditional Residential – Urban 1 (TR-U1) District; undeveloped land, zoned Agriculture (A) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Low Medium Residential (LMR) development for the subject property and adjacent properties to the west and south, and recommends Low Residential (LR) for adjacent properties to the north and east. The [Elderberry Neighborhood Development Plan](#) (2018) recommends Housing Mix 2 (HM2) with a density range of 8 to 20 units per acre for the subject property and adjacent properties. More information on the housing types and design recommendations for the HM2 district are included in the Analysis section of this report.

Zoning Summary: The property is zoned Suburban Residential-Varied 2 (SR-V2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	1,500 sq. ft./d.u. (88,500 sq. ft.)	112,889 sq. ft.
Lot Width	60'	>60'
Front Yard Setback	25'	27.5'
Side Yard Setback	10'	32.1' north side 19.7' south side
Rear Yard Setback	Lesser of 25% lot depth or 30'	98'
Usable Open Space	160 sq. ft./one bedroom unit, 320 sq. ft./2+ bedrooms unit (15,360 sq. ft.)	33,779 sq. ft.
Maximum Lot Coverage	60%	48%
Maximum Building Height	4 stories/52'	3 stories/48'6"

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (59)	75 garage 26 surface (101 total)
Electric Vehicle Stalls	EV: 2% (2) EV Ready: 10% (10)	2 EV 6 EV Ready (31)
Accessible Stalls	Yes	Yes
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2- bedrooms, ½ space per add'l bedroom (59) 1 guest space per 10 units (6) (65 total)	59 garage 6 surface (65 total)
Landscaping and Screening	Yes	Yes (33)
Lighting	Yes	Yes
Building Form and Design	Yes	Large multi-family building (32)(33)(34)

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services with the exception of Metro Transit.

Project Description, Analysis, and Conclusion

Relevant Nearby Approvals

On May 21, 2013, the Common Council approved a request to rezone 33.2 acres of property located at 9601 Elderberry Road from A (Agricultural District) to TR-U1 (Traditional Residential–Urban 1 District), SR-V2 (Suburban Residential–Varied 2 District) and TR-V2 (Traditional Residential–Varied 2 District) (Legistar ID [29644](#)).

On August 29, 2022 the Plan Commission approved a residential building complex at 9501 Spirit Street (Legistar ID [72213](#)). The building complex would have eight (8), three-story townhouse buildings with a total of 31 units. Permits have not been issued for the project. (#1)

On August 29, 2022 the Plan Commission approved a residential building complex at 302 Chaska Drive (Legistar ID [72214](#)). The building complex would have four (4) three-story townhouse buildings with a total of 20 units. Permits have not been issued for the project. (#2)

On January 9, 2023 the Plan Commission approved a residential building complex at 304 Lakota Way (Legistar ID [74544](#)). The building complex would have five (5) two-story, four-unit residential buildings with a total of 20 units. Permits have not been issued for the project. (#3)



Project Description

The applicant proposes to construct a two and three-story, 59-unit residential building. The building would be age restricted and residents would have access to the amenity spaces in the age restricted development proposed across the street at 9503 Elderberry Road. There are 75 underground parking stalls and 25 surface stalls.

The L-shaped building fronts the majority of Elderberry Road before wrapping around Bear Claw Way. The parking lot is accessed off of Spirit Street. There is a landscaped area between the parking lot and the street. This area has small berms along Spirit Street and walking paths that connect to Spirit Street and Elderberry Road. Berms are also located along the eastern edge next to the existing single family residences. The primary building entrance faces the parking lot and a sidewalk connection is provided from Spirit Street. Building entrances are also located along Bear Claw Way and Elderberry Road.

The front yard setback along Spirit Street ranges from 27.5 to 32.4 feet. The side yard setback along Elderberry Road ranges from 32.0 to 36.7 feet and the side yard setback along Bear Claw Way is 25.3 feet. The rear yard setback is 98.0 feet.

In regards to massing, the building is three stories and steps down with two-story components at the two ends of the L-shaped building. The building has multiple pitched rooflines and an overall building height of 48.5 feet. Each unit has a private balcony. The primary building material is a grey brick veneer and accent materials include a light grey stone veneer, light grey composite siding and cast stone sills. The landscape plan shows a mix of evergreen and deciduous trees and shrubs. There is also a cluster of fruit trees along the walking path.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Low Medium Residential (LMR) development with a density range between 7-30 units per acre generally recommended. Low-Medium Residential (LMR) areas are made up of any or

all of the following types of housing: small-lot single-family development, two-unit buildings, three-unit buildings, row houses, and small multifamily buildings. The recommended building heights range from one to three stories.

The [Elderberry Neighborhood Development Plan](#) (2018) recommends Housing Mix 2 (HM2) with a density range of 8 to 20 units per acre. HM2 is recommended as a predominately higher-density single family designation, although other housing types compatible with single-family homes, including duplexes, four units, townhouses, and small-scale apartment buildings (4-8 units) are also recommended. Buildings should include front, side, and rear yards, with a maximum recommended height of three stories. Dwelling unit types in the HM2 zone should be varied, and large areas of one housing unit type should be avoided.

The proposed building is larger than the recommended building forms in the [Comprehensive Plan](#) (2018) and [Elderberry Neighborhood Development Plan](#) (2018). However with a proposed density of 23 units per acre is generally consistent with the recommended densities in both plans.

Staff emphasize that a zoning change is not being sought. Approvals in 2013 established SR-V2 zoning in which large multifamily buildings are allowed. In the SR-V2 District multifamily dwellings with more than 24 units are a conditional use and multifamily dwellings with less than 24 units are a permitted use. The proposed building complies with the density and height requirements in the SR-V2 District. The proposed density of 23 units per acre is within the density range allowed in the District, which allows up to 29 units per acre for multifamily dwellings with more than 24 units. Additionally, the proposed three-story building is less than the four-story maximum permitted in the District.

Conditional Use Standards

The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Regarding standard 9, which states, "When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendation." Per Section 28.183 M.G.O., the applicant may choose to go to the Urban Design Commission (UDC) for an advisory recommendation and comment prior to going to the Plan Commission if advised by the Plan Commission Secretary or District Alder. In this case the Plan Commission Secretary, in consultation with staff, advised the applicant to go to the UDC. Staff noted that the building form was larger than those recommended in adopted plans, and therefor recommended that the proposed development be further reviewed by the UDC.

As part of that review, the UDC Secretary prepared a [Staff Report for the November 1, 2023 UDC meeting](#) (Legistar ID [78640](#)) which asked the UDC to provide feedback on the following:

- The building's orientation towards external streets rather than internal neighborhood streets and the lack of active unit entries with sidewalk connections;
- The design and treatment of the surface parking, and the relationship of the surface parking to the building and the street; and
- The building composition and materials.

At their November 1, 2023 meeting the UDC recommended “final approval.” In the discussion on the motion the open space area, building material composition and ground floor patios were discussed. The UDC recommended the following condition, as noted in the recommended conditions of approval:

- A low masonry landscape wall shall be added at the ground level exterior patios for those patios located at building corners.

Conclusion

Given due consideration of adopted plans, staff acknowledge that the proposed building is larger than the recommended building forms in the Comprehensive Plan (2018) and Elderberry Neighborhood Development Plan (2018). However, the proposed development is generally consistent with the recommended densities in both plans. Staff note that a zoning change is not being requested and in the existing SR-V2 District large multifamily buildings are a conditional use. Additionally, the proposed development complies with the density and height requirements in the SR-V2 District. Considering the “final approval” recommendation from the Urban Design Commission, staff believe the conditional use standards can be found met, subject to the recommended conditions of approval.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and approve the request to allow a multi-family building with 59 units at 9454 Spirit Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning (Contact Lisa McNabola, 243-0554)

1. A low masonry landscape wall shall be added at the ground level exterior patios for those patios located at building corners.

Engineering Division (Contact Brenda Stanley, 261-9127)

2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct the following to a plan as approved by City Engineer:
 - a. Construct sidewalk, terrace, curb and gutter and up to 24' of pavement on Elderberry Road
 - b. Construct full Street Width, terrace & sidewalk on Spirit St
 - c. Construct Sidewalk on Bear Claw Way
4. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))

5. This development is subject to impact fees for the Elderberry Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO Ch 20). Add the following note on the face of the plans: LOTS / BUILDINGS WITHIN THIS DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.
6. 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))
7. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
8. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
9. 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.
10. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
11. 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.

12. Revise the site plan 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)
13. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
14. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
15. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one

(1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated 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.

16. 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.
17. 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>

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.

18. 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.

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

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.

TSS Redevelopment not TMDL: Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

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.

19. 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 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

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

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.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

20. 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.
21. 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.
22. 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.
23. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
24. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

25. 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.
26. 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.
27. 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.
28. The applicant shall provide a clearly defined 5' walkway 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.
29. "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.
30. 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.

Zoning (Contact Jenny Kirchgatter, 266-4429)

31. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the residential parking stalls (10 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. Add the count of electric vehicle stalls to the Site Development Data on the site plan C1.1.
32. Submit detailed floor plans and roof plan.
33. Show the garage area wells on the plans.
34. 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. 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.

35. 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.

Fire Department (Contact Matt Hamilton, 266-4457)

36. Provide fire apparatus access as required by IFC 503 2021 edition, MGO 34.503, as follows:
- MGO 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26-feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30-feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.
 - Obstructions shall not be located between the building and an aerial fire lane. Alternative measures to allow obstructions may include specific tree selection and placement; increased fire protection systems; and/or increased building fire resistance. Alternatives must be approved by MFD prior to site plan approval.
 - Consider equivalency guide or verification that MFD aerial apparatus can reach roof eaves 6' above and 6' beyond where required for aerial apparatus access.

37. Recommend having stairway near the elevators to facilitate fire dept response due to age of proposed population
38. Recommend adding rated doors to separate the upper floors to allow age 55+ population to be moved to safe space on floor in case of emergency incident due to likely slower evacuation

Parks Division (Contact Ann Freiwald, 243-2848)

39. 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# 13117.7 when contacting Parks about this project.
40. Pursuant to MGO 20.08 (2)(c)2.d. the park impact fee may be reduced for multi-family dwelling units that are limited to occupancy by persons fifty-five (55) years of age or older by appropriated recorded restriction for a period of not less than thirty (30) years.

Forestry Section (Contact Brandon Sly, 266-4816)

41. As defined by Madison General Ordinance 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new plat development along the street segment.

Water Utility (Contact Jeff Belshaw, 261-9835)

42. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled

lateral connection/extension. 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. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Timothy Sobota, 261-4289)

43. The proposed development is outside Metro Transit's paratransit service area. The closest bus stop with scheduled bus service is over one and one half miles walking distance, and the parcels would be greater than the $\frac{3}{4}$ mile regulatory distance from all day scheduled service - for passengers who might be eligible for door-to- door paratransit service.

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

44. Confirm locations of trees proposed at Northwest Corner of Lot 3 in the City Right-of-Way will be allowed by City Forestry. If not remove from the City Right-of-Way.
45. The address of the proposed building is 9454 Spirit St. 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.
46. 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 Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering.

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.

Parking (Contact Trent Schultz, 246-5806)

47. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.