PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **9503 Elderberry Road**, aka 354 Bear Claw Way (District 9, Alder Conklin)

Legistar File ID #: 79971

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 Traditional Residential – Urban 1 (TR-U1) District for a multi-family dwelling with more than 60 units at 9503 Elderberry Road.

Proposal Summary: The applicant proposes to construct a four-story, 162-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 162 units at 9503 Elderberry Road. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 223,052 square-foot (5.12-acre) parcel is bounded by Elderberry road to the north, Bear Claw Way to the east, Spirit Street to the south and Lakota Way to the west. 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 Traditional Residential – Urban 1 (TR-U1) 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: Across Bear Claw Way, undeveloped land, zoned Suburban Residential-Varied 2 (SR-V2) District; single family residences, zoned Traditional Residential – Consistent 3 (TR-C2) District;

South: Across Spirit Street, undeveloped land, zoned SR-V2 District and Traditional 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 Lakota Way, undeveloped land, zoned SR-V2 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 Traditional Residential – Urban 1 (TR-U1) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	750 sq. ft./d.u. (121,500 sq. ft.)	223,052 sq. ft.
Lot Width	50’	>50’
Front Yard Setback	15’ or average	25.6’
Maximum Front Yard Setback	30’ or up to 20% greater than block average	25.6’
Side Yard Setback	10’	28.6’ east side 20.7’ west side
Rear Yard Setback	Lesser of 25% lot depth or 25’	37.4’
Usable Open Space	160 sq. ft./d.u. (25,920 sq. ft.)	Adequate
Maximum Lot Coverage	75%	59%
Maximum Building Height	5 stories/65’	4 stories/58’6”

Site Design	Required	Proposed
Number Parking Stalls	Multi-family dwelling: 1 per dwelling (162)	202 garage 59 surface (261 total)
Electric Vehicle Stalls	EV: 2% (5) EV Ready: 10% (26)	4 EV 20 EV Ready (33)
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 (162) 1 guest space per 10 units (16) (178 total)	162 garage 18 surface (180 total)
Landscaping and Screening	Yes	Yes
Lighting	Yes	Yes
Building Form and Design	Yes	Large multi-family building (35)

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 to four-story, 162-unit residential building. The building would be age restricted and residents of the proposed residential building at 9454 Spirit Street would have access to the amenity spaces in the building. Amenities include an indoor pool and fitness area. There are 202 underground parking stalls and a total of 59 surface stalls.

There are three north-south sections connected by two east-west sections. Two of the north-south sections front Lakota Way and Bear Claw Way, and the third north-south section is located in the middle of the lot. In the northwest corner of the site there is a parking lot accessed from Elderberry Road that provides access to the main entrance and underground parking. In the southeast corner of the site there is a second parking lot accessed from Spirit Street that provides access to a building entrance and underground parking. This parking lot is located next to a courtyard space with raised garden beds and a pet area. In the southwest corner of the site there is an outdoor amenity space with a pavilion and outdoor seating. In the northeast corner of the site there is a landscaped outdoor area. Additional common entries are located along Lakota Way and Bear Claw Way.

The front yard setback along Spirit Street ranges from 25.5 to 28.1 feet. The side yard setback along Lakota Way ranges from 20.7 to 29.7 feet and the side yard setback along Bear Claw Way ranges from 29.9 to 31.3 feet. The rear yard setback along Elderberry Road ranges from 37.3 to 39.5 feet

The building ranges from two to four stories. The east-west building section that connects the section along Lakota Way to the central section is four stories. The building steps down to three stories towards Spirit Street. The building steps down to three stories and then two stories towards Elderberry Road. The building has multiple pitched rooflines and an overall building height of 58.5 feet. Each unit has a private balcony. The primary building materials

are a grey brick veneer and light brown brick veneer. Accent materials include a light grey stone veneer, dark grey composite siding and cast stone sills. The landscape plan shows a mix of evergreen and deciduous trees and shrubs.

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). Staff acknowledge that the proposed density exceeds the density recommendation in the Elderberry Neighborhood Development Plan (2018) by more than 10 units per acre, however staff believe the proposed density of 32 units per acre is generally consistent with the broader recommendation of the Comprehensive Plan. Staff note that surrounding area is recommended for Housing Mix 2 and a mix of building forms have been constructed or approved, including four-unit buildings, townhomes, and large multifamily buildings.

Staff emphasize that a zoning change is not being sought. Approvals in 2013 established TR-U1 zoning in which large multifamily buildings are already allowed. In the TR-U1 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 TR-U1 District. The proposed density of 32 units per acre is within the density range allowed in the District, which allows up to 58 units per acre for multifamily dwellings with more than 24 units. Additionally, the proposed four-story building is less than the five-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 80366) which asked the UDC to provide feedback on the following:

- The building mass and scale as it relates to surrounding buildings;
- The building's orientation to the street and the lack of active unit entries with sidewalk connections;
- The design and treatment of the surface parking; and
- The building composition and materials as it relates to breaking down the four-story mass and overall scale of the building.

At their November 1, 2023 meeting the UDC recommended "final approval." In the discussion on the motion the landscape plan, courtyard area, and ground floor patios were discussed. The UDC recommended the following conditions, as noted in the recommended conditions of approval:

- A garden wall shall be added at the ground level exterior patios for those patios located at building corners.
- Add plantings to delineate between the parking and the west side of the courtyard space.

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). While the proposed density exceeds the density recommendation in the Elderberry Neighborhood Development Plan (2018) staff believe the proposed density of 32 units per acre is generally consistent with the recommended density in the Comprehensive Plan. Staff note that a zoning change is not being requested and in the existing TR-U1 District large multifamily buildings are a conditional use. Also, the proposed development complies with the density and height requirements in the TR-U1 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 162 units at 9503 Elderberry Road. 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 garden wall shall be added at the ground level exterior patios for those patios located at building corners.

2. Add plantings to delineate between the parking and the west side of the courtyard space.

Engineering Division (Contact Brenda Stanley, 261-9127)

3. 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)

4. 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 Sidewalk on Spirit St
   c. Construct Sidewalk on Bear Claw Way

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 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.

19. 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).

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

20. The applicant shall submit a $30,000 deposit for the installation of a Rapid Rectangular Flashing Beacon (RRFB) at the intersection of Spirit Street and Bear Claw Way.

21. 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.

22. 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.

23. 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.

24. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

25. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

26. 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.

27. 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.

28. 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 Andrew Oliver, (267-1979, aoliver@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.

29. 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.

30. 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.

31. "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.

32. 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)

33. 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.

34. Submit detailed floor plans and roof plan.

35. 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.

36. 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.

37. 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.

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 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

38. Recommend having stairway near the elevators to facilitate fire dept response due to age of proposed population

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 ¾ 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 Black Hills Spruce trees proposed at Northeast Corner of Lot 2 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 9503 Elderberry Rd.
46. 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.

47. 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)

48. 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.