



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

Project Address: 115-126 South Carroll Street and 25 West Main Street
Application Type: Rezoning and Demolition
Legistar File ID # [35356](#), [35359](#), [34922](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Project Contact: Brad Binkowski; Urban Land Interests; 10 E. Doty St. Ste. 300, Madison, WI 53703

Property Owner: Urban Land Interests; 10 E. Doty St., Madison, WI 53703

Requested Action: Approval of a rezoning from DC (Downtown Core) to PD-GDP (Planned Development - General Development Plan) and PD-GDP-SIP for an office addition, a new underground parking area, and replacement of a parking structure with a mixed-use building.

Proposal Summary: The applicant proposes a major rear addition to an existing office building at 25 West Main Street, a five-level, 550-stall underground parking area stretching across the South Carroll Street right-of-way, and demolition of an existing above-ground structured parking area at 126 South Carroll Street for future construction of an 9-story mixed-use building with over 6,700 square feet of commercial space and 96 residential units.

Applicable Regulations & Standards: This proposal is subject to the standards for rezoning (MGO Section 28.182) and for Planned Developments (MGO Section 28.098).

Review Required By: Urban Design Commission (UDC), Plan Commission (PC), Common Council (CC)

Summary Recommendation: Planning Division staff recommends that the Plan Commission find that the standards for approval for zoning map amendments, Planned Developments, and demolition can be met for the subject property, and forward the request to the Common Council with a recommendation to **approve** the request. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The subject property consists of three parcels. The first and second, 25 West Main and 115 South Carroll, which would be combined, are located on the east side of South Carroll Street between West Main and West Doty Streets. The third parcel, 126 South Carroll Street, is in the center of the triangle block bounded by South Hamilton Street, South Carroll Street, and West Doty Street; Downtown Core (DC) District; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

Existing Conditions and Land Use: The site is currently developed with the nine-story, 132,820 square foot Anchor Bank office building at 25 West Main Street, a surface parking lot at 115 South Carroll Street, and a six-story parking structure at 126 South Carroll Street, which is used to support the Anchor Bank office use. All properties are within the Downtown Core (DC) District.

Surrounding Land Use and Zoning:

North: State Capitol Building in the Downtown Core (DC) District.

East: Immediately east of the property, the Risser Justice Center in the DC District. Across West Doty Street to the southeast, the City-County Building.

South: Across West Doty Street to the south, the Dane County Sheriff's Building.

West: Immediately southwest of the existing parking garage at 126 South Carroll Street, the Baskerville Condominium building, a local Landmark building. Immediately northwest of the parking garage, the Jackman Office Building, also a local Landmark. Across South Hamilton Street to the west, Genna's Lounge and a bank in the DC District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Downtown Core Mixed Use in this area. The Downtown Plan (2012) generally recommends Downtown Core Mixed-Use, has Capitol View Height Limit on the portion of the site east of South Carroll Street, and a recommended height limit of six stories for the portion of the site west of Carroll Street. The Downtown Plan has several other recommendations pertaining to this project, which are covered in the body of this report.

Zoning Summary: This property as proposed would be within the PD-GDP (Planned Development – General Development Plan) and PD-SIP (Planned Development – Specific Implementation Plan) Districts.

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

Public Utilities and Services: This property is served by a full range of urban services in the Downtown Core.

Related Approvals

Plan Commission/Urban Design Commission- In March, 2013, a major nine-story rear addition was approved for the Anchor Bank office building at 25 West Main Street, in conjunction with an interior and exterior remodeling of the building (see Legistar Item #[28791](#)). The addition included a 187-stall structured parking area with at-grade and underground stalls, and 51,000 square feet of new commercial space. This was approved as a conditional use under the old zoning code, when the property was in the C4 District. The addition was not subject to current zoning requirements for the Downtown Core (DC) District.

Urban Design Commission - On March 5, 2014, a minor alteration to this conditional use was approved following review by the Urban Design Commission (see Legistar Item #[28185](#)). The alteration included an additional 30,000 square feet of office space through an extension of the addition, an entrance to a restaurant off of Carroll Street, and a widening and reduction in depth of the projecting bay in the Main Street right-of-way.

Landmarks Commission - On August 4, 2014, the Landmarks Commission reviewed the current proposal due to the adjacency of the Phase 2 mixed-use building at 126 South Carroll Street to two Local Landmark buildings – the Jackman Building and the Baskerville Condominiums (see Legistar Item #[34930](#)). The Landmarks Commission generally supported the proposal, and voted unanimously to advise the Plan Commission that the development is not so large or visually intrusive as to adversely affect the historic character and integrity of the adjacent Landmark buildings.

Board of Estimates – On September 30, 2014, the Board of Estimates will meet in closed session to discuss and make a recommendation on the requests for financial support from the City and the ownership structure for this proposal, which the applicant has indicated would be necessary for the project to move forward. The Common Council can then make a decision on these requests following the Board of Estimates recommendation.

Project Description

The applicant is requesting rezoning of property on both sides of South Carroll Street between West Main and West Doty Streets from Downtown Core (DC) to Planned Development – General Development Plan – Specific Implementation Plan (PD-GDP-SIP) and Planned Development – General Development Plan (PD-GDP). The applicant is also requesting approval to demolish a six-story parking structure at 126 South Carroll Street.

Phase 1 of the proposal, for which PD-GDP-SIP zoning is requested, would add nearly 90,000 square feet of new commercial office space as a major addition to and interior and exterior remodeling of the Anchor Bank building, as well as active ground floor commercial spaces on the east side of South Carroll Street and the north side of West Doty Street. The addition would replace an existing 36-stall surface parking area at 115 South Carroll Street. With the exception of the active commercial (likely restaurant) use along Doty Street, this portion of the proposal has essentially been reviewed and approved in the past by the Plan Commission and Urban Design Commission as a conditional use, as noted above.

Phase 1 of the proposal would also include the demolition of the 261-stall parking structure at 126 South Carroll Street, and construction of a 548-stall underground parking structure to be constructed underneath the parcel at 126 South Carroll Street, the parcel at 115 South Carroll Street, and underneath the Carroll Street right-of-way that runs between these parcels. The five-level underground parking area would have a single vehicle access point, from West Doty Street.

Phase 2 of the proposal, for which PD-GDP zoning is requested, includes a nine-story mixed-use building with approximately 96 apartment units and 18,000 square feet of new ground floor retail/restaurant space, to be constructed on the parcel at 126 South Carroll Street, on top of the underground parking area, between two Local Landmark buildings. The building as proposed would exceed the recommended maximum height on the

Downtown Height Map, which can only be approved through a rezoning of the property to the Planned Development District

Building Massing and Placement- On the east side of Carroll Street, the existing nine-story, 100-foot tall Anchor Bank building would gain nearly all of its new square footage in a nine-story rear addition stretching back approximately 70 feet at the current height of the building. The existing ninth story, which is used to store mechanical equipment, would also be reclaimed as office space as part of this proposal. A 7-story addition in the Main Street right-of-way, approximately 35 feet wide and ranging in depth from four to nine feet, includes a small portion of the leasable space. Along West Doty Street, the proposed building would have a one-story commercial component (likely a restaurant use), which would be approximately 60 feet deep and 70 feet wide on the southwest corner of the building. A 45-foot wide loading area with two overhead doors would make up the rest of the width of the building along West Doty Street. A second floor terrace to include an outdoor eating area, trees in planters, and green roof elements, is open space is proposed atop the Doty Street restaurant space. The only component of this building that has not yet been approved is the revised space on the ground floor facing Doty Street, which is now proposed as an active restaurant use, rather than a parking area as was previously approved.

On the west side of Carroll Street, the existing six-story parking structure would be removed during Phase 1, and would be replaced with an at-grade cap over the new underground parking structure. Phase 2 would involve the construction of a nine-story mixed-use building on the site, in the center of the unique, triangular block, and between two Local Landmark buildings. The proposed building would have a two-story facade set back a few feet from South Hamilton Street, behind the line of both the Baskerville Condominium Building and the Jackman Building. Above the second story, the building would be stepped back over 18 feet at each corner of an L-shaped residential tower rising to nine stories and 101 feet. Right at the Carroll and Doty Street corner, the nine-story tower is located at the property line, and then steps back approximately 5-6 feet above the first floor for most of the length of the building along both streets

The new five-level underground parking structure, also part of Phase 1, would obviously be a significant construction effort and would include a significant portion of the South Carroll Street right-of-way, but would result in no above-grade massing.

Access, Parking, Loading, and Circulation- Vehicular access to the 550-stall underground parking area for the site is from one location along West Doty Street, west of South Carroll Street. In this area, there are a total of three lanes – one entrance, and two exit lanes. As shown on site plans, it appears that bicyclists would also enter at this same location into an area shown with just 20 bicycle parking stalls.

There are three loading bays along West Doty Street – the first is just west of South Carroll Street, and the other two are adjacent to one another on the east side of the building, next to the Risser Justice Center.

Pedestrian access to the 25 West Main Street building on the east side of Carroll Street is provided with three entrances on West Main Street, two entrances on South Carroll Street, and an entrance to the underground parking area from West Doty Street. Access to the Phase 2 mixed-use building will likely be further detailed in a subsequent request to rezone the property to PD-SIP, but would include entrances from both South Hamilton and South Carroll Streets to ground floor commercial spaces.

Building Exterior- The Anchor Bank building at 25 West Main Street would be completed refaced with a glass curtain wall facade on all visible sides, encroaching 8-12 inches into the public rights of way. The new additions to the building would have a similar glass curtain wall in a bluer hue, and would be angled such that the depth of the building varies slightly from top to bottom. The base of the addition is exposed concrete, granite, and storefront glass in the restaurant spaces facing South Carroll and West Doty Streets. A significant second floor terrace area includes green roof elements, an outdoor eating area, and structured landscaping beds with tree plantings.

The Phase 2 mixed-use building is shown in the proposed PD-GDP with a two-story element along Hamilton Street including a granite base and copper cladding with a high proportion of glass. The current submittal shows a copper grid extending above the second floor, as a parapet framing a usable terrace behind it. The residential tower along Doty and Carroll Streets has a brick grid from the ground to the eighth floor, two colors of gray metal paneling, and a relatively high proportion of glass on all facades. If the overall project moves forward, it is expected that a future submittal will have much more detail, and that it will likely include changes to the exterior architecture of the building from that shown in the current submittal. Approval of the exterior detailing of the Phase 2 building is not part of the current request.

Project Analysis

Major Outstanding Issues - At the time of this report, there are two major interrelated issues impacting the feasibility of this proposal. First, the proposed underground parking area, which is a key component of the proposal, is not supportable by the Madison Fire Department in its current configuration based on a technical building code issue. Since the underground parking area crosses two property lines, it does not meet building or fire safety codes. Without variances from relevant requirements, the lot lines would need to be eliminated in the areas of construction of the underground parking structure.

Second, the project financing and ownership structure is quite complicated and is still being discussed. The ownership structure being discussed would likely involve a condominium, and would also likely solve the property line issue mentioned above.

Plan Consistency - The proposal is generally consistent with objectives and recommendations in the Downtown Plan (2012). By relocating structured and surface parking underground (including under this block of Carroll Street), and streamlining access to one location, the proposal would activate the street-level on a total of five block faces of Carroll, Doty, and Hamilton Streets. Activation of the “outer loop” streets such as Doty Street has been particularly challenging over the decades, since these streets have historically served as parking and loading areas for buildings facing the Capitol Square. As noted on Page 81 of Downtown Plan (see below), activation of the outer loop is an important goal, and new zoning requirements help to ensure that it occurs with redevelopment:

Outer Loop - *As property with frontage on the outer loop redevelops, particular attention should be paid to ensuring that buildings have active ground floor spaces, and street-facing facades with windows to allow for more “eyes on the street” and create a more inviting pedestrian environment. Parking structures should have liner buildings, at least on the ground floor.*

While the mixed-use building proposed at 126 South Carroll Street as part of the PD-GDP would exceed height recommendations in the Downtown Plan by three stories and 13 feet, the proposal respects the upper level stepback requirements to maintain the Hamilton Street view corridor from the Capitol building to Lake Monona. In its early stages, it appears that the proposed design for the mixed-use building at 126 S. Hamilton Street will relate well to the Landmark Buildings on either side of it, and complete this unique triangle block.

The proposal furthers many other objectives and recommendations in the Downtown Plan, including but not limited to the following:

- *Recommendation 34: Encourage development of additional retail, service and entertainment uses to support Downtown working and living*
- *Objective 3.1: Preserve views of, to, and from Downtown that reflect the natural topography and enhance views of the skyline, Capitol, lakes, and other important vistas*

- *Objective 3.2: Provide a dynamic and flexible mix of land uses and densities that enable ample opportunities for jobs, housing, retail, entertainment, and recreation in a compact urban environment.*
- *Objective 4.1: The Downtown Core is the center of Downtown, and should generally possess the highest intensity of development. A mix of office, employment, retail, government, residential, cultural, entertainment, and other uses should be pursued to retain the area's vibrancy, including beyond normal business hours.*
- *Objective 6.4: Provide a balanced approach to motor vehicle parking that meets the needs of businesses, residents, workers, and visitors, and actively pursue strategies that allow drivers to park once and use other modes to circulate within the Downtown*
- *Recommendation 153: Locate new and replacement parking underground as existing motor vehicle parking structures and surface lots are reconstructed... Private parking structure development should follow the same policies as public structures.*
- *Recommendation 166: Provide streetscape enhancements to selected Downtown streets to improve the design and aesthetics and to provide additional pedestrian amenities. Improve the outer loop in the near term focusing on aesthetic enhancements, pedestrian lighting, bump-outs, landscaping, benches, and safety improvements for pedestrians and transit users, including bus stop areas and shelters.*
- *Recommendation 184: Preserve and restore landmark buildings.*
- *Recommendation 198: Preserve triangle blocks and associated flatiron buildings and ensure that new development on parcels with acute angles follow that building form.*

On balance, staff believes that the proposed building, at least at the PD-GDP level, furthers the many recommendations in the Downtown Plan noted above. With regard to height, the building is three stories but only 13 feet taller than recommended height limits on the L-shaped residential tower portion of the building. However, the decision by the applicant to pull the massing of the building off of Hamilton Street better showcases the Landmark buildings on either side, and protects important views between Lake Monona and the Capitol Building. The additional height is well-placed, and is offset by the many other aspects of the proposal consistent with the Downtown Plan.

Demolition Standards - Staff believes that the demolition standards for the parking structure at 126 South Carroll Street can be met. The replacement of the aging and difficult-to-maintain structure with underground parking and active ground floor uses, and residential apartments would be ideal for this unique block.

Planned Development Standards (MGO 28.098) – Staff believes that the Planned Development standards can be met with this proposal, as noted in the analysis of each relevant standard below.

1) Statement of Purpose.

The Planned Development District is established to provide a voluntary regulatory framework as a means to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural, and economic considerations. In addition, the Planned Development District is intended to achieve one or more of the following objectives:

- a) Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development*
- b) Promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle, and transit connections and amenities.*

- c) *Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities.*
- d) *Preservation of historic buildings, structures, or landscape features through adaptive reuse of public or private preservation of land.*
- e) *Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques.*
- f) *Facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor, or special area plans.*

2) Standards for Approval of Zoning Map Amendment

The standards for approval of a zoning map change to a PD District are as follows:

- a) *The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the objectives of (1) above. Conditions under which planned development may be appropriate include:
 - 1. *Site conditions such as steep topography or other unusual physical features; or*
 - 2. *Redevelopment of an existing area or use of an infill site that could not be reasonably developed under base zoning district requirements.**

Staff believes that this standard can be met. The proposal meets Objectives b and f in the Statement of Purpose, as it is a high-quality mixed-use development significantly enhancing the pedestrian experience along South Carroll, South Hamilton, and West Doty Streets, and furthers many recommendations in the Downtown Plan.

- b) *The PD District shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor, or special area plans.*

Staff believes that this standard can be met, as noted earlier in the report.

- c) *The PD District plans shall not adversely affect the economic health of the City or the area of the City where the development is proposed, including the cost of municipal services.*

Staff believes that this standard can be met, so long as all conditions of approval regarding utility infrastructure are sufficiently addressed.

- d) *The PD district plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns. The Plan shall include measureable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of the day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion or bicycling, walking, and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips.*

Staff believes that this standard can be met so long as conditions of approval are addressed. The proposal involves a net gain of approximately 251 automobile parking stalls to serve the expanded office use in the PD-SIP at 25 West Main Street (the Anchor Bank building), and the residential units proposed at 126 South Carroll Street in a later phase of the PD-GDP. To serve the proposed office, restaurant/retail, and residential uses, final plans will need to include a significant increase in bicycle parking.

e) The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses.

Staff believes that this standard is very well-addressed by the proposal, which involves the replacement of surface and structured parking with active uses at the street level with building forms and high-quality architectural styles compatible with the Downtown Core area.

f) The PD district plan shall include suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point.

Staff believes that this standard can be met, so long as the financing for the underground parking area is secured prior to demolition of the existing parking structure. The project is essentially a two-phased project, with the first phase including underground parking and the office addition at 25 West Main Street, and the second phase the nine-story mixed-use building at 126 South Carroll Street. If the applicant were to cease work on the overall project following completion of the first phase, the site at 126 South Carroll Street would be "capped" at grade, and would become an attractive future development site. Any future proposal differing from the one currently under review would need to either adhere to the PD-GDP framework as approved, or modify it through a full rezoning process.

g) When applying the above standards to an application for height in excess of that allowed in Section 28.071(2)(a) Downtown Height Map, except as provided for in Section 28.07(2)(a)1. And Section 28.071(2)(b), the Plan Commission shall consider the recommendations in adopted plans and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present:

- 1. The excess height is compatible with the existing or planned (if the recommendations in the Downtown Plan call for changes) character of the surrounding area, including but not limited to the scale, mass, rhythm, and setbacks of buildings and relationships to street frontages and public spaces.*
- 2. The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories.*
- 3. The scale, massing and design of new buildings complement and positively contribute to the setting of any landmark buildings within or adjacent to the project and create a pleasing visual relationship with them.*
- 4. For projects proposed in priority viewsheds and other views and vistas identified on the Views and Vistas Map in the City of Madison Downtown Plan, there are no negative impacts on the viewshed as demonstrated by viewshed studies prepared by the applicant.*

Staff believes that this multi-faceted standard can be met with the 9-story mixed-use building proposed as part of the PD-GDP, which would replace the existing parking structure at 126 South Carroll Street. The zoning code allows for six-story buildings no taller than 88 feet in this location. The proposed building is nine stories and 101 feet tall at the top of the roof. Thus, the building is three stories and approximately 13 feet taller than what would be allowable in the Downtown Core District.

The building as proposed exceeds the 15-foot stepback requirement above the fourth floor along South Hamilton Street. In fact, a nearly 19-foot stepback is proposed above the second floor, which allows for the three and five-story Landmark buildings on either side of the proposed building to retain their prominence along Hamilton Street. In essence, the applicant is removing some of the allowable massing from Hamilton Street and instead placing it on top of the building in an area that will not impact important views up and down South Hamilton Street. This configuration allows for an efficient L-shaped residential floor plan to maximize windows and views as well.

With the replacement of the existing parking structure with the proposed mixed-use building, views up and down South Hamilton Street may actually be improved with this proposal, because the new building better frames the street close to ground level than does the existing 6-story parking garage. The Dane County Courthouse one block to the southwest already frames the view looking up and down Hamilton Street, and the proposed building is set back far behind the plane of the courthouse building. Viewshed studies provided by the applicant have been included to help demonstrate the impacts of the proposed building.

Conclusion

Staff believes that this complex, phased proposal meets many objectives and recommendations in the Downtown Plan by replacing surface and structured parking with active commercial spaces, residential units, and high-quality office space within well-designed buildings just southwest of the Capitol Square. The proposal – particularly the underground parking area in the Carroll Street right-of-way, will need financial support and an ownership structure involving the City in order to move forward, and many conditions of approval from reviewing agencies will need to be fully addressed. Contingent on future decisions by the Common Council and actions by the applicant related to these issues, Planning Division staff believes that the proposal meets the relevant standards for approval, and enthusiastically supports the project as a welcome transformation of this important part of the Downtown core.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

Planning Division staff recommends that the Plan Commission find that the standards for approval for zoning map amendments, Planned Developments, and demolition can be met for the subject property, and forward the request to the Common Council with a recommendation to **approve** the request. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. Prior to issuance of demolition or building permits, proof of financing for the proposal shall be provided for review and approval by the Director of Planning and Community and Economic Development.
2. Final plans submitted for staff review and approval shall include significantly more bicycle parking, so as to meet or exceed the conventional zoning code requirements for all proposed uses. The applicant shall work with Planning and Zoning staff on the details for the placement and design of bicycle parking. NOTE: Any bicycle parking in the public right-of-way, which may be desired to serve the ground floor commercial uses, must be coordinated and approved with input from Traffic Engineering staff and any necessary encroachment agreements.
3. Approval of the Planned Development – General Development Plan for the mixed-use building at 126 South Carroll Street is limited to the proposed height, massing, and mix of uses in the building, and does not pertain to the exterior of the building. The applicant is encouraged to submit revised elevations with further detail and a greater proportion of masonry when seeking approval to rezone this portion of the property to Planned Development – Specific Implementation Plan.

4. Final plans submitted for staff review and approval shall include information demonstrating how snow and ice will be handled on the projecting bay, so as not to cause safety concerns for pedestrians. Documentation provided should sufficiently ensure that there will be no need to restrict the use of portions of the sidewalk under the projecting bay.
5. Prior to receiving permits for the proposed changes to the building, the applicant shall submit materials for review by the Privilege in Streets staff committee and reach a formal agreement with the City regarding the proposed encroachments into the public right-of-way.
6. Portions of the PD-GDP submittal for the new mixed-use building at 126 South Carroll Street show the proposed building crossing the property line shared with the Jackman Building, and connections to the Jackman Building. While this arrangement could potentially be supported as a future amendment to this PD-GDP and a related PD-SIP, improvements shown on property outside of the applicant's current holdings is not approvable as part of the PD-GDP at the present time. In order to support this arrangement, the applicant is encouraged to coordinate closely with the Historic Preservation Planner, Madison Fire Department, and Building Inspection staff.
7. Sufficient detail on all proposed above-grade encroachments associated with the building at 25 West Main Street shall be provided to demonstrate that there is no additional space being requested beyond what was approved by the Plan Commission in March, 2013 and/or subsequently altered by the Urban Design Commission approval of the minor alteration on March 5, 2014.
8. Prior to submitting final plans for staff review and approval, the applicant shall obtain final design approval by the Urban Design Commission for the requested Planned Development zoning.

City Engineering Division (Contact Janet Schmidt, 261-9688)

9. The existing tunnel shall be completely removed from within the right-of-way (Developer Agreement). Applicant shall be responsible for protecting all existing utilities during removal and restoration.
10. Developer shall keep all subterranean structures at least 3-feet below grade to allow for City maintenance of the street and sidewalk.
11. The developer is aware that both a temporary storm and sanitary sewer control plan is needed to address construction phasing.
12. The erosion control plan/permit shall address dewatering and concrete control during construction.
13. Applicant will need to provide a utility plan for intended new locations for sewer, storm sewer, and water main prior to plan approval.
14. A solution that permits the proposed subterranean parking structure shown on the plans within the South Carroll Street right of way below the street shall be provided by the applicant and reviewed and approved by the City of Madison. As provided for by State Statute 66.0915(4), a lease of the subterranean area would be a preferred option. The applicant shall consult with the City of Madison Attorney's Office, Engineering Office and Office of Real Estate Services and investigate the possibility of leasing the subterranean portion under South Carroll Street necessary (a three dimensional area) to encompass the proposed parking structure within the South Carroll Street right of way. To address the fire code issue, this leased area would subsequently be included within a one Lot Certified Survey Map, including and connecting all of the owner's lands lying northeast and southwest of Carroll street. All lands would be connected within the CSM by the three dimensional portion of Carroll Street that is subject to the lease. This would create a single lot to eliminate any lot line bisecting the parking structure. This option as discussed above, or any future option, is not guaranteed and is conditioned upon and subject to review by multiple City of Madison Agencies and staff for compliance

with statutes, ordinances, laws and other conditions of approval. Any option and plan approval would also ultimately be subject to the review and approval by the City of Madison Common Council.

15. The proposed new buildings will cross underlying platted lot lines. Current fire code and City enforcement requires the underlying platted lot lines be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A revised CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department that encompasses this entire project. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
16. The Applicant shall confirm all portions of the proposed buildings and/or any private site improvements that will encroach into the adjacent right of ways. If any private improvements are determined will encroach into the right of way, the Applicant shall make an application with City of Madison for a privilege in streets administered by the City of Madison Office of Real Estate Services. An approval of the development does not constitute or guarantee approval of any encroachments.
17. The site plans are insufficient to provide detailed comments from City Engineering. Revise the plans to include a site plan showing the entire site with building outlines, lot lines, existing and proposed public and private utilities. Include spot elevations of new driveways and door openings. Provide a sheet with existing conditions which includes spot elevations of the existing sidewalk and adjacent curb and gutter and street. The plans should show all proposed improvements in the right of way as anticipated for the construction of this project. Additional comments will be provided upon receipt of the revised plans.
18. This project will likely require a development agreement for the restoration of the existing public infrastructure. The Applicant shall be required to provide adequate topographical survey data along with enough detail on the proposed project to allow for City Engineering staff to produce a plan for the restoration.
19. Provide additional details on the existing tunnel in Carroll Street. The existing tunnel shall be located on the plan and shall include the approximate depth and size.
20. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project (MGO 16.23(9)c).
21. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
22. Submit a PDF of all floor plans to izenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
23. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
24. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
25. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the

developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester (MGO 16.23(9)(d)(6)).

26. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development (POLICY).
27. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
28. The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments (INFORMATIONAL).
29. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system (POLICY).
30. The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced (POLICY).
31. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01).
32. All damage to the pavement on Doty Street, Main Street, and Carroll Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
33. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
34. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer (POLICY and MGO OVER 10,000 SF of impervious area 10.29 and 37.05(7)(b)).
35. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used (POLICY and MGO 10.29).
36. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
37. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program

transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). 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/constformsinfo.htm> (NOTIFICATION).

38. Prior to approval, this project shall comply with MGO Ch. 37 regarding stormwater management. Specifically, this development is required to: Reduce TSS off of the proposed development by 80% when compared with the existing site, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by MGO Ch. 37.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

39. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
- b) Internal walkway areas
- c) Internal site parking areas
- d) Lot lines and right-of-way lines
- e) Street names
- f) Stormwater Management Facilities
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

40. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including

- a) SLAMM DAT files
- b) RECARGA files
- c) TR-55/HYDROCAD/Etc
- d) Sediment loading calculations

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 (POLICY and MGO 37.09(2)).

41. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).

42. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Schmidt (608-261-9688) 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)).

43. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

Traffic Engineering (Contact Eric Halvorson, 266-6527)

44. The number of off street parking spaces reserved for residents use is not specified. Residents of this development shall not be eligible for participation in the Residential Permit Parking Program unless 24/7 reserved off street parking spaces are provided with a minimum 1:1 ratio of spaces per dwelling unit. The applicant shall inform all potential residents of this development of this restriction in their apartment leases. In addition, the applicant shall submit a copy of the lease noting the above condition.

45. It is not clear whether any on-street metered public parking spaces will be lost due to this development. If any on-street metered public parking spaces are lost due to this development, the developer shall compensate the City of Madison Parking Utility \$39,550 for each on-street metered parking space lost due to the development, this represents the present value of the future revenue stream from these parking spaces.

46. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

47. 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.

48. 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.

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

Fire Department (Contact Bill Sullivan, 261-9658)

50. MFD does not support the underground parking garage beneath Carroll Street in its current configuration. The State building code prohibits openings in buildings along property lines. The proposed garage crosses (2) existing property lines. Property line and opening issues would need to be resolved to meet the requirements in IBC 2009, prior to the issuance of building permits.

51. Some of the drawings indicate the proposed (9) story residential development being built across a property line which would create a building code violation unless property lines are modified.

52. Ensure vertical exit enclosures extend to the exterior of the building as required by IBC 1022.

Parks Division (Kay Rutledge, 266-4816)

53. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Tenney, Law and James Madison park impact fee district (SI26). Please reference ID# 14149 when contacting Parks about this project.

54. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
55. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be coordinated with City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
56. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>.

Metro Transit (Tim Sobota, 261-4289)

57. The applicant shall protect the existing bus shelter, curbside bus loading zone, and sidewalk pedestrian access to transit vehicles during construction. Pedestrian access must be maintained along the entire block face of West Main Street, between South Hamilton Street and Martin Luther King Jr. Boulevard, and must comply with standards set out by the Americans with Disabilities Act.
58. In the case where construction activities must hinder the above access requirements, such activities shall be scheduled during non-peak periods of transit activity. These periods include weekends and weekdays outside the hours of 6:00 AM to 9:30 AM and 2:30 PM to 6:00 PM.
59. The applicant shall be required to provide notice to Metro Transit five (5) days prior to any encroachment of construction activity onto the passenger shelter, sidewalk, or curbside bus loading area.
60. Metro Transit operates an extremely high level of transit service along West Main Street along the block face between South Hamilton Street and Martin Luther King Jr. Boulevard. Buses are scheduled to park and wait time at this stop location throughout the day, and during peak periods the entire block face can be occupied by transit vehicles.

Water Utility (Dennis Cawley, 266-4651)

61. The developer shall be responsible for all relocation or abandonment costs involving the public water main associated with the construction of facilities beneath the public right-of-way.
62. This property is not in a City of Madison Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Zoning Administrator (Contact Pat Anderson, 266-5978)

Comments will be included in a subsequent version of this report.

No other agencies submitted comments for this request.