



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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April 9, 2008

Nathan Novak
JJR, LLC
625 Williamson Street
Madison, Wisconsin 53703

RE: Approval of a request to rezone 333 W. Washington Avenue from Amended Planned Unit Development, General Development Plan (PUD-GDP) to Amended Planned Unit Development, Specific Implementation Plan (PUD-SIP) allow construction of an 11-story, 151-room hotel. (LodgeWorks)

Dear Mr. Novak:

At its April 8, 2008 meeting, the Common Council **conditionally approved** your client's application to rezone property located at 333 W. Washington Avenue from Amended PUD-GDP to Amended PUD-SIP to allow construction of a 151-room Hyatt Place Hotel at Capitol West. The following conditions of approval shall be satisfied prior to final approval and recording of the amended planned unit development:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-three (23) items:

1. If the applicant proposes to relocate the public sidewalk onto private property, the applicant shall dedicate a sidewalk easement as required by the City Engineer and shall pay all applicable fees associated with the dedication.
2. The applicant shall obtain a Privilege in Streets Agreement for the passenger drop-off and any other encroachments into the right of way. The Privilege in Streets Permit shall also address the installation and maintenance of the special paving and scoring in the terrace.
3. The applicant proposes to change the longitudinal grade of the mainline sidewalk to improve the cross slope on the proposed drop off area. Current ADA standards do not allow a longitudinal sidewalk grade in excess of 5% on a street with a longitudinal grade under 5%. The applicant shall revise the plan accordingly.
4. An additional storm inlet shall be provided at the south entrance to West Washington Avenue on the south curb to more fully collect storm runoff.
5. More information shall be provided on the "scupper" and "trench" drains on the east side of the building showing where these drains go and the pipes serving them, including all pumping within the lot or on adjacent lots.
6. Inlets shall have oil and grease treatment systems shown and detailed.
7. A Maintenance Agreement for the treatment systems shall be recorded after approval of City Engineering.

8. Proposed development shares private storm sewer with adjacent lots. Provide evidence of an agreement for joint ownership, use, and maintenance of this private storm sewer system.
9. Existing sanitary sewer mains on West Washington Avenue are not shown. Revise plans to show the 15-inch main on the north side of street and the 6-inch main on the south side of the street.
10. 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.
11. The approval of this project 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.
12. 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.
13. The applicant shall replace all sidewalk and curb and gutter that 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.
14. 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.
15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to provide oil & grease control from the first 1/2" of runoff from parking areas 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 Chapter 37 of the Madison General Ordinances.
17. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.

18. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.
19. 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, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
20. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
21. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
22. Prior to approval of the project, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

The applications for the permits listed above (#21-23) are available on line at:

<http://www.cityofmadison.com/engineering/permits.cfm>.

23. 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.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following nine items:

24. The applicant shall not improve the terrace as proposed unless City of Madison Real Estate Division approves encroachment prior to plans being submitted for approval.
25. The developer shall contact City Traffic Engineering, Kevin Fahey (266-4761) prior to submitting plans for final approval to arrange for relocation of the existing streetlight, and wiring. All cost related to this relocation shall be the responsibility of the developer.
26. The attached streetlight declaration of conditions and covenants shall be executed and returned to City Traffic Engineering.
27. City of Madison radio systems are microwave directional line-of-sight signals 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 elevation plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle

Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

28. The applicant shall indicate the type of bicycle racks to be installed.
29. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
30. All directional/regulatory signage and pavement markings shall be shown and noted on the plan. The applicant shall secure one-way operations and show signage for the parking ramp and drop-off to be approved by Traffic Engineering.
31. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
32. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:

33. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
 - c.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to: parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - d.) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 80,000 lbs.
 - e.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
 - f.) Per IFC 503.3 Show approved "fire lane, no parking" signs posted on the site plan. A maximum of 150 feet on center. Signs must be visual and easily read from any location on the fire lane. Fire lanes 20-27 feet wide will be posted as fire lane on both sides, 28-35 feet wide shall be posted fire lane on the appropriate side only.
 - g.) Where mountable sidewalk/curbs are used as part of the fire lane those sidewalk/curbs shall be constructed of concrete or asphalt only, and be designed to support a minimum load of 80,000 lbs. Provide a cross section detail of the proposed mountable sidewalk/curbs. Clearly identify the locations of all proposed mountable sidewalk/curbs. Confirm existing rollable curb and show on fire lane plan.
34. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have questions about the following item:

35. In order to fulfill the conditions of approval related to the overall Block 51 development process, given the change in proposed land uses on the block since the date of the earlier approvals of the Capitol West development, the developer shall either:
- a.) Install and maintain the passenger waiting shelter with bench seating and a trash receptacle at the Broom Street bus stop as noted in the previously forwarded attachments as part of the approval and implementation process of the current SIP project, or;
 - b.) Submit a revised transit trip generation report demonstrating that the previously approved and currently proposed SIP project(s) will not generate transit trips greater than the standard as defined in the attachment. If the revised transit trip generation report does show that the transit trips generated by this SIP project, added to those generated in previously approved SIP projects, does surpass the standard – the developer shall be required to install the bus stop amenities prior to Metro Transit approving the current SIP project, as noted in the conditions of the attachment.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 for information on zoning conformity for this project.

Please contact my office at 261-9632 if you have questions about the following eight items, including the condition of approval added by Plan Commission and Common Council:

- 36. That the applicant receive final approval of the specific implementation plan from the Urban Design Commission prior to recording, with an appeal to the Plan Commission if necessary.
- 37. That the developer submit an inventory of the parking available throughout the entire Capitol West Planned Unit Development for approval by the Planning Division with the final hotel specific implementation plan along with a generalized description of how that parking is being allocated among the various uses.
- 38. That the developer receive all necessary approvals for the encroachment of the hotel drop-off area into the W. Washington Avenue terrace prior to the recording of this specific implementation plan. Final approval of any right of way encroachments shall be subject to Common Council approval.
- 39. The applicant shall dedicate a permanent public sidewalk easement to the City for the portion of 12-foot, 8-inch sidewalk located outside the W. Washington Avenue right of way.
- 40. That the new trees planted in the W. Washington Avenue right of way be canopy trees approved by the City Forester.
- 41. That a curb be provided between the sidewalk and hotel drop-off area as part of the Board of Public Works review of improvements in the right of way.
- 42. That the recording materials for the hotel specific implementation include a drawing depicting the revised phasing schedule approved with the general development plan.
- 43. That the hotel is structurally designed to accept the pedestrian walkway across Washington Place as shown on the exhibit dated December 20, 2007 when the walkway is constructed in Phase 3 of the Capitol West Planned Unit Development.

Approval of this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

After the plans have been changed as per the above conditions, please file **nine (9) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Matt Tucker, Zoning Administrator
Janet Dailey, City Engineering
John Leach, Traffic Engineering
Scott Strassburg, Madison Fire Department
Tim Sobota, Madison Metro Transit

For Official Use Only, Re: Final GDP Routing			
<input checked="" type="checkbox"/>	Planning Division (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division (Park fees)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Madison Metro Transit