



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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February 13, 2019

Jon Hepner  
Peloton Residences, LLC  
PO Box 620037  
Middleton, Wisconsin 53562

RE: Approval of a major amendment to Planned Development zoning to approve an Amended General Development Plan and Specific Implementation Plan for a mixed-use building at 1004-1032 S. Park Street to increase the total number of dwelling units from 157 to 173. [LNDUSE-2018-00118; ID 53953]

Dear Mr. Hepner;

At its February 5, 2019 meeting, the Common Council **conditionally approved** your request to amend the PD(GDP-SIP) for 1004-1032 S. Park Street to allow additional dwelling units in the "Peloton" mixed-use building. The approval is subject to the conditions in the following sections, which shall be satisfied prior to final approval and recording of the amended planned development and the issuance of building permits for the project.

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have any questions regarding the following twenty (20) items:**

1. The City recommends revising the plan to install the two laterals onto S. Park Street rather than Fish Hatchery Road because there is significantly more sewer capacity on S. Park Street. The applicant shall provide flow projections for the proposed development along with the elevations of the sewer being connected to confirm the slope of the sewer being connected to so that the City can complete the City sewer capacity analysis.
2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
3. 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.
4. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project, additional WDNR, Madison-Dane County

Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.

5. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the Madison-Dane County Public Health shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.
6. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
7. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). All other levels (contours, elevations, etc.) are not to be included with this file submittal. E-mail CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.
8. 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 24-hour, 100-year design storm. 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.
9. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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 5.0-tons per acre per year.
10. 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 NR-216 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.

11. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
12. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
13. 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 Madison General Ordinances.
14. The developer shall provide information on how the Department of Commerce's requirements regarding treatment of stormwater runoff from parking structures shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.
15. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Building Inspection Division may require individual control plans and measures for each building.
16. 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.
17. The construction of this project will require that the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering 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. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
18. The approval of this planned development 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.
19. 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.
20. The applicant shall construct sidewalk and terrace improvements according to a plan approved by the City Engineer.

**Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 266-4097 if you have any questions regarding the following item:**

21. Submit a PDF of all floor plans to [zenchenko@cityofmadison.com](mailto:zenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a revised interior addressing plan. 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 application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. 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. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following seven (7) items:**

22. Work with Traffic Engineering to alter the geometry of the side bicycle path for the garage ramp. Due to the steepness of the path, the narrow width, and the poor vision triangle at the bottom, Traffic Engineering has concerns over the operations and safe use of this amenity.
23. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.
24. 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.
25. 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.
26. All parking facility design shall conform to the standards in MGO Section 10.08(6).
27. This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, covered sidewalks will be constructed and maintained as soon as possible and little to no access to the public right-of-way on S. Park Street and Fish Hatchery Road will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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 staff to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) 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.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have questions about the following four (4) items:**

29. Submit an updated Zoning Text with an updated Statement of Purpose.

30. Bicycle parking for the commercial tenant uses shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11). Provide a minimum of four (4) short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Bicycle parking for the commercial uses will be reviewed for compliance with the amount, design, and location requirements prior to obtaining zoning approval for each use. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.

31. Provide a minimum of 173 resident bicycle stalls plus a minimum of 17 short-term guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five-foot access aisle for wall mount parking. Show the typical dimensions of the bicycle stalls and access aisles. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. Submit a detail showing the model of bike rack to be installed including any wall mounted or structured racks.

32. 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.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have questions about the following two (2) items:**

33. For new water lateral connections, a Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers and Contractors website, ([http://www.cityofmadison.com/water/plumbers\\_contractors](http://www.cityofmadison.com/water/plumbers_contractors)), otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact

Madison Water Utility at 266-4646.

34. For connection to existing water lateral stubs, 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 and Contractors website ([http://www.cityofmadison.com/water/plumbers\\_contractors](http://www.cityofmadison.com/water/plumbers_contractors)), otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. 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 266-4646.

**Please contact Sarah Lerner of the Parks Division at 261-4281 if you have any questions regarding the following item:**

35. 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 Central Park-Infrastructure Impact Fee district. Please reference ID# 15122.1 when contacting Parks Division staff about this project.

**Please contact Tim Sobota of Metro Transit at 261-4289 if you have questions about the following three (3) items:**

36. In coordination with public works improvements, the applicant shall maintain or replace the concrete passenger boarding pad at the existing Metro bus stop on the west side of S. Park Street, south of Fish Hatchery Road (#0174). The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb. A continuous concrete terrace, or other accessible surface materials, would also be suitable.
37. The applicant shall install and maintain a bench or other seating amenity in the adjacent property landscape plan, ideally taking advantage of any building overhang or canopy to provide the seating amenity some shelter from the elements. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
38. Metro Transit operates daily transit service along S. Park Street through the Fish Hatchery Road intersection. Bus stop ID #0174 is adjacent the proposed project site along the west side of Park Street, with the bus stop zone encompassing the area from the existing bus stop sign pole and concrete boarding pad surface north back towards the intersection. The applicant shall accommodate these bus stop operational conditions and consult with Metro Transit when coordinating any traffic control plans or street occupancy permit requests.

**Please contact my office at 261-9632 if you have any questions regarding the following nine (9) items, including the condition of approval added by the Common Council on February 5, 2019 (#47):**

39. Revise the revised floorplans to provide a unit count by type for each floor, and provide corrected unit, bedroom, gross square-footage, and auto and bike parking data for the entire project at the beginning of the plan set and in a revised letter of intent prior to final approval and issuance of building permits.
40. The zoning text approved by the Planning Division for the 157-unit project (attached) shall be updated to include a revised Statement of Purpose and to remove reference to the parking/rent provision in Section I prior to final approval and issuance of permits for the current project. No other changes shall be allowed. [Note: This condition shall be satisfied in conjunction with #47 below.]
41. If dogs are allowed in the building, the applicant shall provide one to two dog waste stations on the property per the 2017 condition of approval.
42. That the applicant provide a ridesharing vehicle per the 2017 condition of approval.
43. That the applicant explore a bike-sharing station per the 2017 condition of approval.
44. Per the 2017 condition of approval, that construction laborers be encouraged to not park on streets when working on the site and that the developer attempts to work out a solution with UW Health for shared parking and explore the possibility of providing a shuttle service for construction workers during the construction of this project.
45. That exterior facade illumination on street-facing facades above the first floor be limited to balcony and patio illumination per the 2017 condition of approval.
46. That the applicant explore installation of a bike-themed sculpture on the site per the 2017 condition of approval.
47. If available, one parking space be included in the price of rent for each dwelling unit in the project, with the ability for a residential tenant to opt-out of this requirement and be credited the current charge for rental of a parking space

**The applicant is required to obtain approval from the Urban Design Commission for the project and satisfy any conditions thereof (initial and final approvals) prior to the final staff approval of the amended project and the issuance of permits. Please contact Janine Glaeser, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

After the planned development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.

**This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their 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. 28.181(5), 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: Tim Troester, City Engineering Division  
 Jeff Quamme, City Engineering Division  
 Janine Glaeser, Urban Design Commission  
 Sean Malloy, Traffic Engineering Division  
 Tim Sobota, Metro Transit  
 Jenny Kirchgatter, Asst. Zoning Admin.  
 Sarah Lerner, Parks Division  
 Adam Wiederhoeft, Water Utility  
 Bill Sullivan, Madison Fire Department

<b>Accela ID: LNDUSE-2018-00118</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering (EP)	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit
<input checked="" type="checkbox"/>	Water Utility (EP)	<input type="checkbox"/>	Other: