



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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Madison, Wisconsin 53703
Phone: (608) 266-4635
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March 4, 2020

Jeryl Aman
MSR Design
510 Marquette Avenue South, Suite 200
Minneapolis, MN 55402

RE: Legistar #59387; Accela ID: 'LNDUSE-2020-00006' -- Approval of two Zoning Map Amendments – 1) to rezone the property at 202 N. First Street from TE (Traditional Employment) and CN (Conservancy) Districts to PD(GDP) (Planned Development (General Development Plan)) District, and 2) to create a Planned Development - General Development Plan (PD-GDP) and Planned Development - Specific Implementation Plan (PD-SIP) – to convert the City's Fleet Services Building into the Madison Public Market.

Dear Mr. Aman;

At its March 3, 2020 meeting, the Madison Common Council found the standards met and **approved** your client's requests to 1) rezone the property located at 202 N. First Street from TE (Traditional Employment) and CN (Conservancy) Districts to PD(GDP) (Planned Development (General Development Plan)) District; and 2) to create a Planned Development - General Development Plan (PD-GDP) and Planned Development - Specific Implementation Plan (PD-SIP) – to convert the City's Fleet Services Building into the Madison Public Market. The conditions of approval in the following sections shall be satisfied prior to issuance of building permits for the project.

Please contact Timothy Troester of the City Engineering Division at (608) 267-1995 if you have questions regarding the following thirteen (13) items:

1. Based on WDNR BRRS record #03-13-000438, the property contains residual soil and groundwater contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
2. The new MMSD manhole will need to be permitted and built in conformance with all MMSD requirements (6' diameter required). Add note to plan: "Contractor shall notify Ray Schneider (608) 347-3628, rays@madsewer.org 5 days prior to installing MMSD manhole to arrange for permitting and inspection of the manhole installation. Structure shall conform to all MMSD specifications. Contractor responsible for MMSD permit fee. MMSD casting required. MMSD will order. Contractor to reimburse MMSD.

3. This site shall comply with the proposed redevelopment stormwater codes under the proposed changes to MGO 37. This includes a 5% reduction in volumetric discharge during a 10 year event and a 15% reduction in peak flow during a 10-year event, compared to existing conditions.
4. Construct 8' sidewalk along First Street to a plan as approved by City Engineer
5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
6. This development appears to have multiple existing laterals extended to the property line. In an effort to reduce inflow and contamination to the City's sanitary system our policy is to plug at the main laterals that are no longer active when associated with a new or redevelopment project. City Engineering will complete a TV inspection of the main to help clarify which laterals are active and which need to be plugged as a condition of approval for this application. The applicant is notified that as a condition of approval a sewer plug permit will be required for one or more laterals associated with this project that will no longer be used at its completion.
7. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
8. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
9. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
10. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. 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 the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

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

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

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

12. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
13. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following four (4) items:

14. A portion of the property shall be dedicated for public right of way along First St to accommodate the public sidewalk in the southeasterly corner crossing the parcel. This can be accomplished on the future Certified Survey Map.
15. A shared access easement is being drafted for the shared driveway between this parcel and the MMSD parcel to the east. The access easement shall be recorded prior to final site plan sign off.
16. This parcel and the MMSD parcel are dependent on each other for subsurface storm water drainage. A Storm Sewer Easement/Agreement between the parcels shall be drafted, executed and recorded prior to building permit issuance.
17. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds. This CSM is to consolidate City properties and clean up land title issues.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following fourteen (14) items:

18. 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; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
19. 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.
20. 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.
21. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
22. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
23. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.

24. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
25. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
26. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.
27. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
28. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
29. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
30. The applicant shall work with the Traffic Engineering and Engineering Divisions to determine the feasibility of widening the sidewalk along North First Street.
31. The applicant shall demonstrate use of loading zone with turning template.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429 if you have any questions regarding the following six (6) items:

32. Work with Zoning and Planning staff for final approval of the Zoning text.
33. Bicycle parking shall be provided per Section 28.141(4) and Table 28I-3 as uses are established within the development. Work with Zoning staff to establish the bicycle parking requirements based on the various uses located within the Madison Public Market. Bicycle parking design and location shall meet the requirements of Section 28.141(11). A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide details of the bicycle parking areas, including the numbers of stalls and dimensions of the stalls and access aisles. Submit details of the proposed bike racks, including ground mounted and vertical bike parking.

34. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
35. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
36. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
37. Submit a seating plan for the outdoor eating areas, including the Main Plaza, the First Street vendor patios and anchor restaurant outdoor dining patio.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following two (2) items:

38. Solar panel array and installation shall comply with IFC 1204.
39. Provide fire access in accordance with MGO 34 & the IFC.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

40. Proposed water lateral calls for a 3-inch service. We would encourage upsizing to a 4-inch as repair parts are more readily available.
41. 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 & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & 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 (608) 266-4646.

Please contact Brad Hofmann of the Parks Division–Forestry Section at (608) 267-4980 if you have any questions regarding the following item:

42. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction.

Please contact Tim Sobota, Metro Transit, at (608) 261-4289 if you have any questions regarding the following four (4) items:

43. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the west side of North First Street, south of East Johnson Street (#1624).
44. As identified on the plans submitted for review, the applicant shall install and maintain a concrete shelter pad surface - as part of the private landscape plan - opposite the existing Metro bus stop zone that is on the west side of North First Street, south of East Johnson Street (#1624). The applicant shall install and maintain a new passenger waiting shelter with seating amenity in this area, as part of the private landscape plan.
45. 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.
46. Metro Transit operates limited weekday transit service along North First Street between East Johnson Street and East Washington Avenue. Bus stop ID #1624 is on the west side of North First Street, south of East Johnson Street. Metro Transit operates additional weekday, weekend and holiday service along East Johnson Street, serving stops in the North First Street intersection.

Please contact my office at (608) 261-9135 if you have questions regarding the following three (3) items, including Conditions #48 and #49, which were added by the Plan Commission at their February 24, 2020 meeting:

47. That the Zoning Text be amended to reference the Supplemental Outdoor Eating Area operational information included in the letter of intent. The text shall specify that alterations to the outdoor eating areas shall be approved in accordance with the Planned Development Alterations Standards of MGO §28.098(6). This language shall be approved by Planning and Zoning Staff.
48. That the four "green parking" spaces be converted to four Level 2 electric vehicle charging spaces.
49. That some covered bicycle parking be provided; the amount and location of these stalls would be determined by staff prior to final plan approval.

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

Please now follow the procedures listed below for obtaining permits for your project:

1. After the plans have been revised per the above conditions, please file **nine (9) 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 017, 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 Zoning staff to the City department staff listed above for their final approval.

2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block below]
3. Under State Statute §66.10015(5), this approval shall be valid for five (5) years from the date of the Common Council Approval granted on November 5, 2019. If this plan is not recorded by that time, as described above, the approval shall be null and void.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135.

Sincerely,



Chris Wells
 Planner

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.</p> <p>_____</p> <p style="text-align: center;"><i>Signature of Applicant</i></p> <p>_____</p> <p style="text-align: center;"><i>Signature of Property Owner (If Not Applicant)</i></p>

cc: Timothy Troester, City Engineering Division
 Jeff Quamme, City Engineering Division – Mapping Section
 Sean Malloy, Traffic Engineering Division
 Jenny Kirchgatter, Asst. Zoning Administrator
 Bill Sullivan, Madison Fire Department
 Jeff Belshaw, Madison Water Utility
 Brad Hofmann, Forestry Section
 Tim Sobota, Metro Transit
 Janine Glaeser, Urban Design Commission

LNDUSE-2019-00095			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input 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 type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: