



Project Address: 33 West Johnson Street
Application Type: Zoning Map Amendment
Legistar File ID # [81024](#) & [81199](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Heather Stouder, AICP, Planning Division Director
Kevin Firchow, AICP, Principal Planner

Summary

Applicant: MC Investors I, LLC; NCG Hospitality; 1600 Aspen Commons; Middleton, WI 53562

Contact: Andy Inman, LLC; NCG Hospitality; 1600 Aspen Commons; Middleton, WI 53562

Owner: Madison Area Technical College; 1701 Wright St.; Madison, WI 53704

Requested Action: Approval of a zoning map amendment from UMX (Urban Mixed Use district) to PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan district) to convert an existing building to a mixed-use building and construct an eleven-story hotel at 33 West Johnson Street. Approval of a conditional use for a building or exceeding the Capitol View height limit per §28.134(3) MGO.

Proposal Summary: The applicant is seeking approval to convert an existing six-story educational building into a mixed-use building with commercial space and 134 dwelling units and construction of an 11-story hotel building with 345 rooms, commercial, meeting, and community spaces, and underground parking.

Applicable Regulations & Standards: Section 28.182 MGO (Madison General Ordinances) provides the process and standards for Zoning Map Amendments. Section 28.098 MGO describes process and standards for Planned Development Districts. Section 28.183 MGO provides the process and standards for Conditional Uses.

Review Required By: Urban Design Commission, Plan Commission, Common Council

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 33 West Johnson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for conditional uses are met for building height exceeding the Capitol View height limit, subject to the conditions from reviewing agencies beginning on page 10.
- That the Plan Commission forward the zoning map amendment from UMX to PD-GDP-SIP to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 10.

Background Information

Parcel Location: The subject site is a 2-acre parcel located bounded by North Carroll Street, West Johnson Street, Wisconsin Avenue, and West Dayton Street. It is within Aldermanic District 4 (Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is developed with a large educational building most recently used by Madison Area Technical College (MATC) since the 1970s. The original four-story structure was built in the 1920s. A four-story addition was added in the 1950s, which was expanded to six stories in the 1960s. The site is currently zoned UMX (Urban Mixed Use) District.

Surrounding Land Uses and Zoning:

Northwest: Across West Johnson Street, local landmark Bethel Lutheran Church and a large parking lot, zoned UMX (Urban Mixed Use District);

Southwest: Across North Carroll Street, a six-level public parking structure, zoned UMX;

Southeast: Across West Dayton Street, the thirteen-story Concourse Hotel, zoned DC (Downtown Core District);

Northeast: Across Wisconsin Avenue, First United Methodist Church and its parking lot, zoned UMX, and a five-story apartment building, zoned PD (Planned Development District).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Downtown Core (DC) uses for the subject parcel. The [Downtown Plan](#) (2012) similarly identifies the site as Downtown Core Mixed Use.

Zoning Summary: The subject property is proposed to be zoned PD (Planned Development District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plan	As per submitted plan
Lot Width	As per approved plan	As per submitted plan
Front Yard Setback	As per approved plan	As per submitted plan
Side Yard Setback	As per approved plan	As per submitted plan
Rear Yard Setback	As per approved plan	As per submitted plan
Usable Open Space	As per approved plan	As per submitted plan
Maximum Lot Coverage	As per approved plan	As per submitted plan
Maximum Building Height: Downtown Height Map and Table	10 stories/144' Sec. 28.098(2)(h)	As per submitted plan (4)(6)
Stepback: Downtown Stepback Map	None	As per submitted plan

29.098(2)(h) 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 28.071(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.

Site Design	Required	Proposed
Number Parking Stalls	As per approved plan	149
Electric Vehicle Stalls	EV: 2% (3) EVR: 10% (15)	None (7)
Accessible Stalls	Yes	Yes
Loading	As per approved plan	As per submitted plan
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (134) 1 guest space per 10 units (13) Hotel: 1 per 10 bedrooms (34) Restaurant; restaurant-tavern: 5% of capacity of persons (TBD)	52 garage 38 surface (90 total) (8-10)

	General retail; service business; office: 1 per 2,000 sq. ft. floor area (5)	
Landscaping and Screening	Yes	Yes (11)
Lighting	Yes	No (14)
Building Form and Design	As per approved plan	As per submitted plan (12-13)

Other Critical Zoning Items	Urban Design (PD), Barrier Free (ILHR 69), Utility Easements
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Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Previous Approvals: On September 17, 2018, the Plan Commission approved the requested Conditional Uses in the UMX district necessary to convert the existing six-story Madison College educational building into a different hotel and construct an eight-story addition totaling 310 guest rooms, with structured parking for 256 vehicles and retail space. The existing parking structure was demolished and some interior building demolition began when the project was halted, primarily due to the COVID 19 pandemic. The original development team has since pulled out of the proposal and development rights have transferred to the applicant.

Project Description

The applicant is seeking approval to convert an existing building originally used as a high school and most recently used by MATC into a mixed-use building with 134 dwelling units and commercial spaces. The applicant is also seeking approval to construct an eleven-story addition with 345 hotel rooms, structured parking, and restaurant, retail, and meeting/event space.

The oldest portion of the existing building is a four-story structure fronting on North Carroll and West Johnson Streets, built in 1930, according to the Wisconsin Historical Society. A four-story addition was added along West Dayton Street in the 1950s. Two more stories were added to the addition in the 1960s to create a six-story addition. The building ceased its original use as a public high school in 1969 and was occupied by Madison College shortly after. In the 1980s, an atrium was built facing the Wisconsin Avenue façade within the “U” created by the original structure and its addition.

The existing Madison College building is proposed to be rehabilitated into a 134-dwelling unit mixed-use building. 10,940 square feet of commercial space will be located on the ground floor of the Dayton Street side of the building. The dwelling unit mix includes 109 one-bedroom units and 25 two-bedroom units. Six units with partial exposure are located in the partially underground lower floor of the West Johnson Street wing. Other uses in the lower level include a pool, other resident amenities, a fitness center, and three commercial spaces. The main floor is approximately one-half story above grade and includes a lobby, leasing office, mailroom, lounge, and club room in addition to dwelling units. The first floor of the Dayton Street wing includes two leasable commercial spaces, a yoga studio, and back of house spaces. Upper floors of the school building are all proposed to be occupied by residential units. The existing courtyard will remain but will be replaced by a structured deck over underground parking.

The northeast area of the block, which was previously occupied by structured parking and is currently a large unfinished excavation, is proposed to be developed with an 11-story dual-branded hotel tower with 345 total

guest rooms. The two proposed brands are Autograph Collection, occupying most of the eastern two-thirds of the tower and an extended-stay Residence Inn in the remaining eastern third.

First floor includes a large lay-by lane for guest drop-off and pick-up with a one-way drive accessed from Wisconsin Avenue and returning again to Wisconsin Avenue. A significant “waving” architectural canopy is proposed over the recessed lay-by lane. The entrance to the 124-room Residence Inn portion of the hotel tower is to the north near the corner of West Johnson Street and Wisconsin Avenue. The Residence Inn lobby is small and without significant amenity spaces. The entrance to the 221-room Autograph Hotel is centered in the Wisconsin Avenue façade. The Autograph Hotel entrance opens into a large centrally-located lobby, which continues into the mid-block Winter Garden and opens onto the “garden terrace” and courtyard formed within the wings of the existing school building. The arch previously located along Wisconsin Avenue and dismantled during the demolition process of the previous approval is proposed to be reconstructed in the garden terrace. The southern portion of the hotel tower’s first floor also includes a kitchen, bar, and restaurant. An outdoor eating area for the restaurant is located at the corner of Wisconsin Avenue and West Dayton Street. Offices and back of house uses are located between the Autograph lobby and the Residence Inn lobby. The second floor includes a living room and communal dining space for the Residence Inn as well as meeting rooms, a board room, and ballroom within the Autograph Hotel portion of the tower. The third through tenth floors are predominantly occupied by hotel rooms. A fitness studio and roof terrace are also located on the third floor of the Residence Inn portion of the tower. The eleventh floor includes five Autograph rooms, including a penthouse suite at the corner of West Johnson Street and Wisconsin Avenue, as well as a kitchen and rooftop restaurant and bar and an outdoor terrace space. There are no eleventh-floor Residence Inn rooms. A mechanical yard, elevator overrun, and roof-access stair tower, all of which project into the Capitol View Height preservation area, are located above the eleventh story.

The proposal includes two levels of underground vehicle parking with 149 vehicle parking spaces, predominantly under the hotel tower, with some under the structured courtyard within the school building. The first subgrade parking level includes vehicle parking as well as hotel back-of-house facilities. Vehicle access into and out of the underground parking is via a ramp and curb cut approximately midblock along West Johnson Street. Loading docks are located midblock along East Dayton Street. Additionally, the proposal also includes 52 indoor bicycle parking spaces and 38 outdoor bicycle parking spaces.

Much of the proposed new construction, particularly along West Dayton and Johnson Streets, as well as the northwestern half of the Wisconsin Avenue facade is to be clad with a brick masonry. A large corner element on the Autograph Hotel side of the tower is proposed to be an undulating and curving aluminum and glass curtain wall structure. The central portion of the Wisconsin Avenue façade and much of the eleventh floor is also glass curtain wall. Trim and accent materials include natural stone and precast concrete at the base, additional brick masonry, metal panels, aluminum and glazing storefront units, and steel railings.

The Johnson and Carrol Street yards of the school building will continue to be planted with turf grass lawns and a mix of deciduous and evergreen shrubs and perennials, with some overstory and evergreen trees as well. Apart from a small planter near the Wisconsin Avenue corner, there is no additional landscaping planned adjacent to the new construction along West Johnson Street. As part of the proposal, the concrete terrace along West Johnson Street will be removed and replaced with soil and turf grass and street tree plantings as determined by the City Forester. Along the Wisconsin Avenue frontage, two of the four existing street trees are proposed to be removed and replaced with new trees as determined by the City Forester. The wide grassy terrace will remain, except for the two proposed driveway curb cuts. Landscaping on the property includes shrubs and perennials in structured planters between the driveway and the sidewalk and in several pots and other structured planters along the Wisconsin Avenue façade. With the exception of a small planter near the outdoor eating terrace at the corner of Dayton Street and Wisconsin Avenue, there is no landscaping planned for the Dayton Street frontage. Three of

four street trees are shown to remain, with an additional two street trees planted on the northeastern third of the street frontage.

The applicant has not determined a date for construction commencement, but anticipates a 24-month construction period.

Analysis

This request is subject to the standards for zoning map amendments, planned development districts, and conditional uses. This section begins with a summary of adopted plan recommendations before analyzing the aforementioned standards, which includes UDC discussion and action.

Adopted Plan Recommendations

The [Comprehensive Plan](#) (2018) recommends Downtown Core (DC), which represents the nucleus of downtown and accommodates a wide variety and mix of uses in large-scale buildings. The [Downtown Plan](#) (2012) Plan recommends “downtown core mixed use” land use for the site, and recommends eight stories, plus a possible two stories of additional building height. The Downtown Plan also places the subject site within the “Downtown Core” district, and recommends continued expansion of a mix of uses, including employment, retail, entertainment, cultural, and residential. The Downtown Plan also identifies Wisconsin Avenue as a “premier street” having the highest level of design and amenities amongst downtown streets. Staff believes that except for the additional request height, the proposal can be found to be consistent with the adopted plans.

Zoning Map Amendment Standards

The Zoning Map Amendment standards, found in 28.182(6), MGO state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City’s [Comprehensive Plan](#). 2010 Wisconsin Act 372 clarified “consistent with” as “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”

As describe above, Staff believes that the request and its uses are generally consistent with the land use recommendations for this area in the adopted plans, with the exception of the eleven-story height. The [Downtown Plan](#) recommends eight stories, plus a possible two stories of additional building height. The proposal requests a zoning map amendment to Planned Development district to add another story, bringing the total height to eleven stories. Staff will discuss the standards for Planned Developments below.

While staff believe that with alterations to the proposal the existing UMX district or the similarly appropriate DC (Downtown Core district) would be more appropriate zoning districts, a zoning map amendment to PD could also be found to meet the standards of approval.

Planned Development Standards

According to the letter of intent, the applicant requests a zoning map amendment to PD (Planned Development district) from UMX (Urban Mixed Use district) to exceed the “eight-plus-two”-story height limit.

Planned Developments are intended 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. The resultant development should feature high-quality architecture and building materials. 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.

In that this proposal integrates a mix of residential, hotel, and commercial uses in an area well-served by transit and multimodal transportation options and the development as a whole preserves and rehabilitates the historic Madison College school building, the proposal can be found to achieve objectives (b) and (d) with a condition that to better meet objective (b), more adequate bicycle parking be provided for the residential portion of the proposed development. The applicant has also submitted an [addendum](#) to their original application outlining the sustainability design strategies and techniques proposed by the applicant to address objective (a).

Because substantial flexibility is permitted in the base zoning districts, the PD option should rarely be used. It is intended that applicants use the PD option only for situations where none of the base zoning districts address the type of development or site planning proposed. Examples include redevelopment, large-scale master planned developments, projects that create exceptional employment or economic development opportunities, or developments that include a variety of residential, commercial, and employment uses in a functionally integrated mixed-use setting. See Zoning Code Section 28.098(1) for further information. PD zoning is also the mechanism to request height beyond the Downtown Height Map and specific PD standards are created to evaluate that aspect of the request. The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. In summary, staff believes standards (c) through (g) of 28.098(2) can be found met subject to the conditions from reviewing agencies found at the end of this report, and provides additional discussion regarding standards (a), (b), and (h).

Standard A states that 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” listed above. The applicant has indicated in their letter of intent that PD zoning will allow the necessary density and design standards to make the project feasible due to the complexity and multitude of uses proposed for the site. The applicant also posits that the proposed development meets or exceeds many of the enumerated objectives. Staff believes that the proposal does indeed meet objective (d) regarding its preservation and adaptive reuse of the historic school building and may meet more, including objectives (a) regarding sustainable development and (b) regarding the promotion of integrated land uses with multimodal transportation and amenities.

Standard B states that the PD District plan “shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.” As noted above, Staff believes that on the whole, the request could be found consistent with the adopted plans, with the exception of the

additional height above ten stories, which is addressed by standard H, below, and the double-driveway arrival lane along Wisconsin Avenue, which impacts the Wisconsin Avenue premier streetscape and is recommended against in the downtown design guidelines. Regarding the driveways, the applicant has made many improvements to the Wisconsin Avenue right-of-way treatment after many discussions and meetings with staff from various City agencies and the Alderperson. UDC has found the driveway setup to be acceptable in regard to the downtown design guidelines and granted the proposal initial approval.

Standard H states that when applying the approval standards to an application for height in excess of that allowed in Section 28.071(2)(a) Downtown Height Map, 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.

While the requested eleventh story is in excess of even the two “bonus” stories indicated in the Downtown Height Map, staff do not believe the excess height is incompatible with this area of downtown, it is not anticipated to create negative impacts on any established views, vistas, or viewsheds. Further, the roof of the penthouse, at 134’-7”, is less than the 144 feet maximum allow in the ten-story areas of downtown found in Table 28E-3. Staff also believe that the scale and design of the proposed hotel tower does not negatively impact the character of the adjacent historic school building. Finally, the excess height of the tower, only a portion of the total development, does provide some semi-public space on the top floor and terminates the architectural top appropriately. Wisconsin Avenue features views to and from the Capitol as defined in the Downtown Plan. Staff have requested long views of the building and its relation to the Capitol in reference to the Downtown Plan’s Views and Vistas map.

For Planned Development zoning, the Urban Design Commission shall review the General Development Plan and the Specific Implementation Plan prior to the Plan Commission, and shall make a recommendation to the Plan Commission with specific findings on the design objectives listed in §28.098(1) and (2). See the UDC Secretary’s [staff report](#) to the UDC for a summary of design considerations. At its meeting of December 13, 2023, the Urban Design Commission granted initial approval of the requested Planned Development (PD) located at 33 W Johnson Street. The motion for approval included the following conditions and findings:

- Refine the design of the top of the building to be a more unifying element in the overall design composition. One potential option would be for the crowns being at the same level or removing the solid parapet on the corner of Dayton and Wisconsin.
- Incorporate more landscape on the Dayton Street side of the building(s).
- The UDC does not object to the proposed height being excess of 10-stories because the overall building height in feet is less than the maximum that would be permissible under the maximum permitted height for a 10-story building (under 144 feet).
- The applicant shall provide additional long views to show more context to fully evaluate impacts to cityscape and viewsheds, especially along Johnson and Dayton Streets.
- Revise the W Johnson long view to minimize the use of EIFS and blank wall expanse.

- Provide more design details on the W Johnson and W Dayton Street elevations, especially with regard to the ground level design of the building.
- The UDC finds that the proposed site layout with two curb cuts is reasonable to serve the proposed use and that it is not an intrusion on the pedestrian experience on Wisconsin Avenue.
- The UDC finds that the building as designed is consistent with PD standard E related to architectural style and design aesthetic having been met.
- Provide a detail for the frit for the bird safe glass.
- The applicant shall provide additional information related to site and architectural lighting, including a photometric plan, to ensure that it is consistent with MGO 29.36.

See Legislative File [80306](#) for more information about the UDC deliberation and decision.

Conditional Use Standards

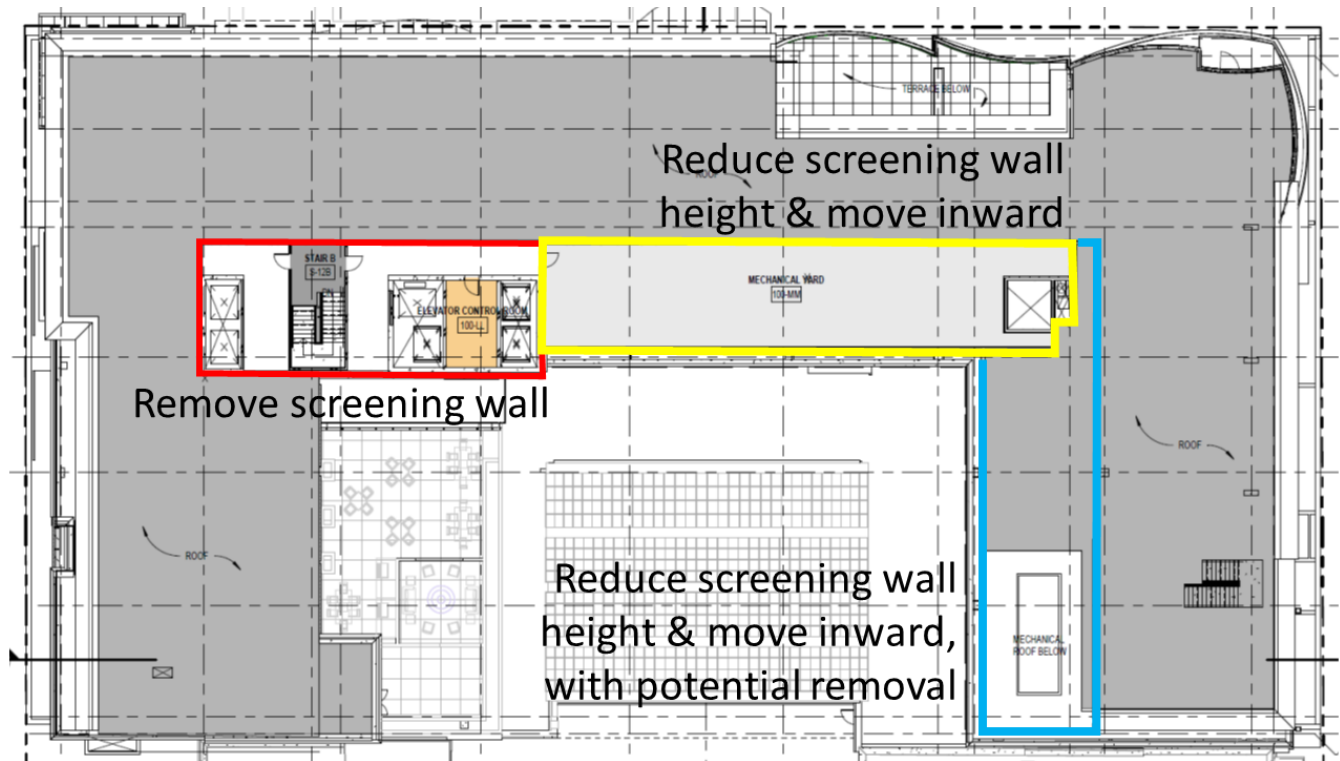
Under Wisconsin State Statute and Madison General Ordinance (MGO), certain projections are permissible into the Capitol View Preservation area, if approved by the Plan Commission as a conditional use. Section 28.134(3) MGO states, with regard to Capitol View Preservation (CVP), that “no portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building...Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses.” Conditional Use standard of approval 17 states that when applying the Conditional Use standards to an application for allowable projections into the Capitol View Preservation Area, the Plan Commission shall “only approve the projection if it determines the encroachment is the minimum necessary and does not significantly impact the long views of the State Capitol building.” In regard to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) M.G.O. are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

During review of this application, staff has met with the development team to clarify the projection details. The highest point of the eleventh story roof at the location of the corner penthouse hotel suite is 1028’-11”. The maximum allowable height per MGO is 1032’-9.6”. According to the architect’s communication with staff, the rooftop stair access, two elevator overruns, and mechanical yard screening are at 1039’-1 ¾”, approximately 6’-4” above the capitol view height limit. The L-shaped mechanical yard, which encompasses the elevator overruns and the stair tower and parallels Wisconsin Avenue and East Dayton Street, is 183 feet by 99 feet and varies between 22 and 27 feet deep, with an area of approximately 6,121 square feet.

In considering similar conditional use approvals, taller elevator penthouse projections and mechanical yard screens have been approved elsewhere in Downtown. 1 North Pinckney Street (American Exchange Building environs) was approved with mechanical equipment 12’-7” above the CVP height limit, mechanical yard screening of 12’-5” above the limit, and an elevator over-run 15’-11” over the height limit. 223 South Pinckney Street (Block 105) and 216 South Pinckney Street (Block 88) were both approved with mechanical screening walls that projected 16 feet above the CVP height limit, but the Block 88 mechanical yard was revised to just under 10 feet above the CVP height limit. Block 89, between Doty Street and Capitol Square, was approved with two mechanical yard projections 16 feet over the CVP height limit of approximately 1,755 square feet and 4,134 square feet, though the second was built to be approximately 1,200 square feet. The East Wilson Street Hilton Hotel includes an approximate 13 foot CVP height limit screening projection that covers an approximate area of 1,040 square feet. Most recently, the redevelopment of the Lake Street public parking structure at 415 North Lake Street was

approved with an extension of approximately 8 feet above the CVP height limit for an elevator penthouse. At 131 West Wilson Street, the building's elevator over-run extends approximately 5'-8" above the CVP height. At 121 East Wilson Street, the building's elevator over-run extends approximately 14'-8" above the CVP height and the two mechanical yards approximately 12'-4". The two mechanical yards are approximately 1,969 square feet and 2,366 square feet.

The area of the mechanical yard projection above the CVP would be amongst the largest of those approved by conditional use. However, the highest point of the projection is only approximately 6'-4" above the CVP, whereas all available examples as outlined above except one requested projections of ten feet or more above the CVP height limit. Staff has discussed the CVP projections with the applicant team's architects.



Based on this discussion staff believes the heights of the elevator overruns and mechanical yard screening can be reduced and that some portions of the screening wall can be moved inward away from the public streets and potential public view. The roof plan exhibit above identifies several portions of the screening wall that could be reduced in height, moved "inward" away from the more visible edges of the block, or removed entirely. Based on the provided information, staff believes that it is possible that Plan Commission can find the applicable standards met, subject to a condition (condition #1 on page 10) that the current projection areas are further reduced, with details of the final design to be approved by the Director of the Planning Division or her assigns. Conversely, the expansion of any projections above the CVP height limit will likely necessitate a major alteration to the conditional use.

Public Input

At time of writing staff have received at least one public comment regarding these requests from the public, which has been attached in the Legislative Information Center.

Conclusion

The applicant is requesting approval of a request to rezone 33 West Johnson Street from UMX (Urban Mixed Use District) to Planned Development-General Development Plan-Specific Implementation Plan (PD-GDP-SIP) and approval of a conditional use request for projections into the capitol view height area. Staff believes that the proposal, specifically regarding the rezoning and planned development district, can be found to be consistent with the recommendations of the Comprehensive Plan and the Downtown Plan. Regarding the conditional use for the projection into the capitol view height area, staff does not believe the height of the mechanical yard will have a visual impact that affects any view of the Capitol and that it will not impact neighboring properties.

Based on the integration of the addition to the architecture of the existing building, the height and bulk of the proposal compared to surrounding structures, the provision of off-street parking and loading, street-level activation, conformance to the City's adopted Downtown, Design Guidelines, and extensive revisions to the project through work amongst the applicant, City Staff, and the Neighborhood Association, the Planning Division believes the conditional use standards can be found met.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 33 West Johnson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission forward the zoning map amendment from UMX to PD-GDP-SIP to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies below.
- That the Plan Commission find that the standards for conditional uses are met for building height exceeding the Capitol View height limit, subject to the conditions from reviewing agencies below.

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Planning Division (Contact Colin Punt, 243-0455)

1. Reduce the height of the mechanical screening yard, stair tower, and elevator overruns to the greatest extent possible and reduce the dimensions of the mechanical yard to the minimum possible, with details, including additional long-view studies to be reviewed and approved by the Director of the Planning Division.
2. Provide at least code-minimum bicycle parking to meet Planned Development district objective (b).

Urban Design Commission (Contact Jessica Vaughn, 267-8740)

3. Obtain final approval from the Urban Design Commission, meeting the listed conditions:
 - Refine the design of the top of the building to be a more unifying element in the overall design composition. One potential option would be for the crowns being at the same level or removing the solid parapet on the corner of Dayton and Wisconsin.
 - Incorporate more landscape on the Dayton Street side of the building(s).
 - The applicant shall provide additional long views to show more context to fully evaluate impacts to cityscape and viewsheds, especially along Johnson and Dayton Streets.

- Revise the W Johnson long view to minimize the use of EIFS and blank wall expanse.
- Provide more design details on the W Johnson and W Dayton Street elevations, especially with regard to the ground level design of the building.
- Provide a detail for the frit for the bird safe glass.
- The applicant shall provide additional information related to site and architectural lighting, including a photometric plan, to ensure that it is consistent with MGO 29.36.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

4. The applicant is proposing a building height exceeding the height allowed per Zoning Code Section 28.071(2) Downtown Height, Stepback, and Setback Requirements. Per Section 28.098(2)(h), when applying the above standards to an application for height in excess of that allowed in Section 28.071(2)(a) Downtown Height Map, 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 listed conditions are present.
5. Submit Zoning Text for review by Zoning and Planning staff.
6. Per Section 28.134(3) Capitol View Preservation, show the height of the building per City Datum. No portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum. Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses. For the purpose of this subsection, City datum zero (0.00) feet shall be established as eight hundred forty-five and six-tenths (845.6) feet above sea level as established by the United States Coast and Geodetic Survey.
7. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (15 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (3 stalls) must be electric vehicle installed. One (1) of the electric vehicle installed stalls must be an accessible stall. Add the count of electric vehicle stalls to the parking summary, and identify the locations of the electric vehicle ready and installed stalls on the plans.
8. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 134 resident bicycle stalls are required plus a minimum of 13 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. 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.
9. Bicycle parking for the hotel, restaurant, and commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of 34 short-term bicycle parking stalls for the hotels and five (5) bicycle stalls for the commercial tenants located in a convenient and visible area on a paved or pervious surface. A minimum number of bicycle stalls equal to 5% of capacity of persons is required for the restaurants. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.

10. Show the locations of the bicycle parking stalls on the civil plans and parking level plans with the number of stalls at each location.
11. 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.
12. Provide the interior courtyard building elevations.
13. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
14. Exterior lighting shall be provided in accordance with City of Madison General Ordinances Section 29.36. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.
15. 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.
16. 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.

City Engineering Division (Contact Tim Troester, 267-1995)

17. The City has limited sanitary sewer capacity in this location. Developer shall provide estimate projected wastewater flow calculations for the development to Mark Moder mmoder@cityofmadison.com. Developer may be required to construct offsite sanitary sewer improvements through a developer agreement as a condition for plan approval.
18. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
 19. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer on all boundary streets. Note sidewalk on Dayton/Johnson will be built on easement obtained from previous project.
 20. 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))
 21. 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)

22. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
23. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
24. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
25. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
26. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
27. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.
The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
28. 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)
29. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
30. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber

that show this requirement has been met.

31. 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.
32. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
- The Storm Water Management Plan & Report shall include compliance with the following:
- Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
- Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
- Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.
- TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.
- 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.
33. 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).

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

34. The property is an open contaminant site with the WDNR (BRRTS #02-13-590398 FORMER MATC). Submit a digital copy of the site investigation report to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com). Submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (e.g. vapor mitigation, dewatering).
35. The Site Plan indicates entry overhang encroaching into the Wisconsin Ave right of way. The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement. Link as follows - <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.
36. Per the applicant, an assignment of ground lease will be forthcoming.

37. The address of the proposed Autograph hotel is 212 Wisconsin Ave. The address of the proposed Residence Inn is 222 Wisconsin Ave. The address of the proposed apartments is 215 N Carroll St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
38. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

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

39. The applicant shall be responsible for the construction of a (7)-foot wide sidewalk, six (6)-foot terrace, and additional one (1) foot behind sidewalk for maintenance on their frontages of W. Johnson Street and W. Dayton Street, where applicable.
40. The applicant shall work with Traffic Engineering on reducing the width of their proposed driveways as much as possible.
41. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan

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

42. 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.
43. 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.
44. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
45. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
46. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
47. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
48. All parking ramps as they approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
49. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
50. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

51. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
52. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
53. "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.
54. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
55. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
56. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
57. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed with a "No Parking Anytime."
58. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
59. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
60. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on West Johnson Street, Wisconsin Avenue and W. Dayton Street 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.

Fire Department (Contact Bill Sullivan, 261-9658)

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| <p>61. Provide fire service access elevator(s) along with the required supporting features outlined in the IBC Chapter 30.</p> |
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62. Provide a fire apparatus access plan/details. Public Streets may be used as part of the fire access provided they meet the minimum fire access requirements. The City of Madison is not obligated to modify the public streets to meet the needs of the proposed development.

Parks Division (Contact Ann Freiwald, 243-2848)

63. 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# 23042 when contacting Parks about this project.

Forestry Section (Contact Bradley Hofmann, 267-4908)

64. Tree grates are the property of the City of Madison. The Contractor shall contact City Forestry at (608) 266-4816 to schedule delivery of salvaged tree grates to City Forestry facility. Add as a note on the demolition and street tree plan set.

65. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

66. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.

67. City Forestry will issue a street tree removal permit for three trees: 18" & 24" Ash along Wisconsin Ave due to Hotel drop off driveway root cutting impacts, and a 2" Locust along Dayton St due to driveway apron installation. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

68. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

69. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.

70. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials,

refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.

71. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
72. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
73. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
74. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
75. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.
76. On this project, the installation of a pavement support system (Silva Cell[®], GreenBlue[®] or equivalent as approved by city) surrounding tree grate locations is required where the terrace is concrete. The Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations before support system installation. Add as a note on both the site and street tree plan set.
77. No later than five business days prior to forming concrete and constructing tree grate sites, the Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations. The Contractor will be required to obtain the grate, matching frame and/or tree guard. Tree grate type and matching frame: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on both the landscape and street tree plan set.

Water Utility (Contact Jeff Belshaw, 261-9835)

78. 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.

Metro Transit (Contact Tim Sobota, 261-4289)

79. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding terrace surface at the existing Metro bus stop on the south side of West Johnson Street, for at least 100' west of stop bar before the Wisconsin Avenue intersection (#0537).

80. The applicant shall install and maintain a new passenger waiting shelter with seating amenity - either as part of the private landscape plan or in the public right-of-way area - serving the curbside bus stop zone on the south side of West Johnson Street, west of Wisconsin Avenue. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. (MGO 10.31)

81. The existing curbside bus stop zone and accessible pedestrian sidewalk and concrete boarding terrace on the south side of West Johnson Street, west of Wisconsin Avenue, provides critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zones in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff - in order to create an alternate bus stop zone that would serve the West Johnson Street at Wisconsin Avenue intersection area in a comparable operational and accessible manner.

82. 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.

83. Metro Transit operates daily all-day transit service along West Johnson Street adjacent this property - with trips at least every 30 minutes. Parallel service operates along West Gorham Street near this property.

84. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 318 Weekday & 149 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Parking Utility (Contact Trent Schultz, 246-5806)

85. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by

staff.

86. Note: The proposed development requires the removal of on-street metered stalls. As per City policy, the applicant shall be financially responsible for any on-street stall removals as a result of their development.