

PLANNING DIVISION STAFF REPORT

April 25, 2022

PREPARED FOR THE PLAN COMMISSION



Project Address: 929 E Washington Avenue

Application Type: Conditional Use

Legistar File ID # [70346](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Curtis V. Brink, Archipelago Village, LLC; 701 E Washington Avenue, Suite 105; Madison.

Contact Person: Doug Hursh, Potter Lawson, Inc.; 749 University Row, Suite 300; Madison.

Property Owner: Archipelago Condo Unit Owner's Association; 505 N Carroll Street; Madison.

Requested Actions: Consideration of a conditional use in the Traditional Employment (TE) District for a building exceeding 68 feet in height; consideration of a conditional use in the TE District for dwellings in a mixed-use building, and; consideration of a major alteration to a conditional use-planned multi-use site containing a hotel, all to allow the construction of a fourteen-story mixed-use building containing 96,800 square feet of commercial space and 105 apartments in a planned multi-use site containing a 144-room hotel, an approved ten-story mixed-use building, a five-story, 92,000 square-foot office building, and a shared 723-stall parking structure.

Proposal Summary: The applicant is seeking approval to construct a fourteen-story mixed-use building containing approximately 96,800 square feet of commercial space and 105 apartments on the E Washington Avenue frontage of the "Archipelago Village" development, a planned multi-use site that occupies most of the block bounded by E Washington Avenue, S Paterson Street, E Main Street, and S Brearly Street, which includes the 144-room Hotel Indigo at 901 E Washington at the E Washington-Paterson corner, a five-story, 92,000 square-foot office building at 908 E Main Street at the northeasterly corner of E Main and S Paterson streets, and an approved ten- to eleven-story mixed-use building at 920 E Main Street. The block will be served by a 723-stall garage originally approved with an earlier proposal for the 929 E Washington site. The applicant wishes to begin construction of the mixed-use building in August 2022, with completion anticipated in winter 2023.

Applicable Regulations & Standards Table 28F-1 in Section 28.082(1) of the Zoning Code identifies dwelling units in mixed-use buildings as a conditional use in the TE district. Section 28.084(3)(c) requires that buildings exceeding five (5) stories and 68 feet in height in the TE district may be allowed with conditional use approval. Section 28.137(2)(e) requires that a planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use or for hotel or motel use be approved as a conditional use following a recommendation on the design of any specific proposal by the Urban Design Commission. Section 28.183 provides the process and standards for the approval of conditional use permits. The criteria for new development in Urban Design Dist. 8 are found in Section 33.24(15) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission and Plan Commission.

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** conditional uses to construct a fourteen-story mixed-use building at 929 E Washington Avenue,

subject to input at the public hearing, the conditions of the Urban Design Commission approval, and the conditions from reviewing agencies beginning on page 7 of this report.

Background Information

Parcel Location: The overall “Archipelago Village” site is an approximately 4.27-acre parcel generally located at the southeasterly corner of E Washington Avenue and S Paterson Street; Alder District 6 (Benford); Urban Design District 8; Madison Metropolitan School District. The site does not include the City Employees Credit Union at 949 E Washington Avenue.

Existing Conditions and Land Use: The overall Archipelago Village site is developed with the converted five-story Kleuter Wholesale Grocery Warehouse at the northwesterly corner of the block, which has been redeveloped and expanded as Hotel Indigo, the one-story Telephone Building at 946 E Main Street, and the recently completed Wisconsin Housing and Economic Development Authority (WHEDA) offices at 908 E Main Street. Approximately two-thirds of the 723-stall parking garage approved to serve the development has also been completed. The 929 E Washington and 920 E Main sites are currently vacant. The entire site is zoned TE (Traditional Employment District).

Surrounding Land Uses and Zoning:

North: Breese Stevens Field, zoned PR (Parks and Recreation District);

South: Madison Water Utility storage facility and garage, and Common Wealth Development’s Main Street Industries multi-tenant industrial facility, zoned TE (Traditional Employment District);

West: One- and two-story multi-tenant commercial building, Madison Moving & Storage, zoned TE;

East: City Employees Credit Union and multi-tenant commercial buildings along E Washington Avenue, zoned TE.

Adopted Land Use Plans: The 2018 Comprehensive Plan recommends the subject site and the E Washington Avenue frontage for Employment.

The East Washington Avenue Capitol Gateway Corridor Plan recommends the subject block for employment, with opportunities to include residential uses as part of a comprehensive employment development. Commercial uses are recommended along the entire E Washington Avenue frontage. The Plan includes specific recommendations for height, building placement, and design which have been codified in MGO Section 33.24(15) as Urban Design District 8.

The East Rail Corridor Plan identifies the site for commercial and industrial uses consistent with the historic use of the property as part of a larger employment corridor that is centered along E Main Street and generally extends from E Washington Avenue to E Wilson Street.

Zoning Summary: The site is zoned TE (Traditional Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	186,035 sq. ft.
Lot Width	50’	528’

Requirements	Required	Proposed
Front Yard	15’ per UDD 8	14.24’
Side Yards (Per UDD 8)	0’ on interior	3.66’ adjacent to 949 E Washington
Rear Yard	None	---
Maximum Lot Coverage	85%	Less than 85%
Minimum Building Height	22’ measured to building cornice	14 stories/ 153.5’
Maximum Building Height	5 stories / 68’ per zoning; 12 stories along E Washington Ave. plus three bonus stories per UDD 8	
Auto Parking	[See Table “Archipelago Village Automobile Parking Summary” below]	
Bike Parking	Multi-family dwelling: 1 per unit up to two-bdrms, half space per add. bdrm (113); 1 guest space per 10 units (10); General retail/ service/ office: 1 per 2,000 sq. ft. floor area (48) (171 total)	176 garage, 10 surface (186 total) (See Zoning conditions)
Loading	2 (10’ x 50’)	2 (10’ x 50’)
Building Forms	Flex Building	Will Comply
Other Critical Zoning Items		
Yes:	Urban Design (Urban Design Dist. 8), Barrier Free, Utility Easements, Wellhead Protection (WP 24)	
No:	Floodplain, Landmarks, Waterfront Development, Adjacent to Park	
Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator		

Archipelago Village Automobile Parking Summary:

Building Address	Vehicle Parking Required	Vehicle Parking Proposed
901 E Washington Avenue: Existing Hotel Indigo & Restaurant	Hotel: .75 stalls per bedroom (108); Restaurant-tavern: 15% of capacity of persons (38) (146 total)	723 in shared parking structure
920 E Main Street: Future mixed-use building	Multi-family dwelling: 1 per unit (37); General retail; service business; office: 1 per 400 sq. ft. floor area (14) (51 total)	
908 E Main Street: WHEDA office building	Office: 1 per 400 sq. ft. floor area (232 total)	
929 E Washington Avenue: Mixed-use building under review	Multi-family dwelling: 1 per unit (105); Office: 1 per 400 sq. ft. floor area (212); General retail; service business: 1 per 400 sq. ft. floor area (30) Future restaurant (TBD) (347 total)	
Total	Approximately 776 Required	723 Provided

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

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service along E Washington Avenue, with stops in the Paterson Street intersection (Stop ID 1565). The site is also located along the route of the future east-west Bus Rapid Transit (BRT) line, which will have a stop at Paterson.

Previous Related Requests

On September 18, 2017, the Plan Commission approved a demolition permit and conditional uses to demolish three commercial buildings and an existing building addition to construct a new five-story addition to the historic five-story Kleuter Wholesale Grocery Warehouse at 901 E Washington Avenue as part of the conversion of the building into a 144-room “Hotel Indigo.”

On August 20, 2018, the Plan Commission did not find the standards met and placed on file without prejudice a request to demolish 924 E Main Street and an alteration to an approved conditional use for a hotel at 901 E Washington Avenue, which would have created a revised parking layout following demolition of the building.

On March 25, 2019, the Plan Commission approved an alteration to an approved conditional use for the hotel at 901 E Washington Avenue to provide an amended parking plan with tandem surface parking for approximately 75 autos. The Plan Commission recommended to the Transportation Commission and Common Council that a related request by the applicant to lease 50 stalls from 6:00 PM to 7:00 AM seven nights a week in the City’s nearby South Livingston Street Ramp for use by the hotel be placed on file.

On May 6, 2019, the Plan Commission approved a demolition permit and conditional uses to demolish commercial buildings at 945 E Washington Avenue and 924 E Main Street to construct an eleven-story, approximately 252,600 square-foot office building and 626-stall parking garage along the E Washington frontage, including the removal, salvage, and storage of the building at 924 E Main Street for use in a future project on-site.

Subsequent minor alterations to the approved eleven-story building at 929 E Washington Avenue have increased the parking for the planned multi-use site from 626 automobile stalls to 718 and reduced the commercial/office space from 252,600 square feet to 208,000 square feet.

On June 8, 2020, the Plan Commission approved conditional uses and a parking reduction to construct a five-story, approximately 92,000 square-foot office at 902-908 E Main Street.

On October 19, 2020, the Plan Commission approved conditional uses and a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking to allow the construction of a ten-story mixed-use building containing 5,500 square feet of commercial space and 75 apartments with a shared 718-stall parking structure.

On October 20, 2020, the Common Council amended the East Washington Avenue Capitol Gateway Corridor Plan to revise the land use recommendation for the block bounded by E Washington Avenue, S Brearly Street, E Main Street, and S Paterson Street from “Employment” to “Employment/Residential.”

A minor alteration to modify the approved mixed-use building at 920 E Main to be eleven stories tall (but the same height above grade) and modify the 75 apartments into 37 residential condominium units is pending.

Project Description

The applicant, Archipelago Village, LLC, is requesting conditional use approval to construct a fourteen-story mixed-use building that will contain 96,800 square feet of commercial space and 105 apartments along the E Washington Avenue frontage of the 4.27-acre “Archipelago Village” development. The Archipelago Village planned multi-use site occupies most of the block bounded by E Washington Avenue, S Paterson Street, E Main Street, and S Brearly Street and includes the 144-room Hotel Indigo at the E Washington-Paterson corner, a recently completed five-story, 92,000 square-foot office building at 908 E Main at the southwesterly corner of the block at E Main and S Paterson streets, and an approved but unbuilt eleven-story mixed-use building at 920 E Main. The block will be served by a 723-stall parking structure to primarily be located in the center of the development, which is being built in phases. The Archipelago Village site also includes the one-story brick Wisconsin Telephone Building located at 946 E Main Street. Sheet L100 of the plan set best shows the relationship between the existing and proposed buildings, and the parking structure that will serve the block.

The proposed mixed-use building will be located between the existing northerly façade of the parking structure and E Washington Avenue and will include approximately 11,700 square feet of ground floor commercial space for future retail and restaurant tenants. The building will be set back approximately 15 feet from the northerly property line, with a raised terrace proposed between the building and E Washington sidewalk, which the letter of intent indicates will be used as outdoor seating for first floor tenants. The first floor will also include a prominent lobby near the center of the E Washington façade as well as spaces for a leasing office, trash room, mechanical rooms, separate elevator lobbies for upper floor office and residential tenants, and two bike rooms with 127 spaces. The second floor of the building will include an addition to the parking structure as well as tenant storage units. Parking will comprise the entirety of the third through fifth floors, as shown on Sheets A103-A105 of the plans.

Three floors of office space totaling 84,800 square feet are proposed on the sixth through eighth floors. A green roof is proposed to cap the shared parking structure adjacent to the southerly wall of the sixth floor, as shown on Sheets A106 and L300. The 105 apartments will occupy the ninth through fourteenth floors of the building. A residential common room, tenant fitness room, and a green roof for residents are proposed on the southerly side of the ninth floor. The 105 apartments proposed will include 41 one-bedroom units, 47 two-bedroom units, and 17 three-bedroom units.

The proposed building is designed to reflect a classic industrial warehouse motif evocative of other industrial buildings in the East Rail Corridor. Brick veneer will comprise most of the exterior, with the exception of metal panel, which will clad the fourteenth floor. A black anodized metal window system and dark metal accent panels will be used on the lower floors of the northerly façade overlooking E Washington Avenue, with a 50 percent opaque window system proposed to screen the parking on the third through fifth floors. In all, the fourteen-story building will be 153.5 feet tall as measured to the roof.

Analysis & Conclusion

Any building taller than five (5) stories and 68 feet in height in TE zoning requires conditional use approval, in part to assess any impacts that may be created by a taller development (traffic, parking and circulation; aesthetics, etc.). Dwelling units in a mixed-use building are also a conditional use in the TE district. The project also requires Plan Commission approval of a conditional use alteration to the approved planned multi-use site.

Consistency with Adopted Plans

The subject site is recommended for Employment in the 2018 Comprehensive Plan, which follows an earlier recommendation in the 2004 East Rail Corridor Plan that employment and industrial land uses be developed on the southerly side of E Washington Avenue as part of a larger employment corridor centered on E Main Street and generally extending from E Washington to E Wilson Street from the Yahara River to S Blair Street. The corridor plan includes a recommendation that a limited amount of small-scale retail and service uses be accommodated to serve the planned employment corridor.

The southerly side of E Washington Avenue is also planned for primarily employment in the East Washington Avenue Capitol Gateway Corridor Plan, with opportunities for supporting commercial uses at specific locations along the E Washington Avenue frontage (including on the subject block). However, an amendment to the plan approved in October 2020 changed the land use designation for the 900-block to Employment-Residential, with supporting text in the plan, which states that residential uses should be considered to “complement significant, large-scale employment development on the same block.” The amendment was initially intended to facilitate development of the mixed-use building approved to the south at 920 E Main Street. However, the tenets of the amendment would also benefit the proposed fourteen story mixed-use building.

Approximately 176,800 square feet of office space is included in the various Archipelago Village projects on the 900-block, which includes the 84,800 square feet of office included on three floors of the proposed building. While the block was previously approved for more intensive employment development when the 929 site was to be developed with an eleven-story building with upwards of 250,000 square feet of office space, staff feels that the Plan Commission may still find that “significant, large-scale employment” will be present on the block to support the introduction of the 105 additional units of housing proposed. Staff feels that the additional units proposed will contribute favorably to the built environment that continues to emerge in the East Washington corridor, which includes a dense mix of employment and residential as well as a variety of complementary uses, including existing or planned hotels, retail, dining, and Breese Stevens Field.

Urban Design Commission

The East Washington Avenue Capitol Gateway Corridor Plan includes specific recommendations for height, building placement, and design for the corridor, which have been codified in MGO Section 33.24(15) as Urban Design District 8. The plan and UDD 8 generally allow up to a twelve-story building to be built along the E Washington Avenue frontage of the 900-Block, with the potential for three additional bonus stories to be approved if specific criteria are met. The Urban Design Commission found that the project is consistent with the requirements and guidelines in Urban Design Dist. 8 and granted **final approval** of the building at its April 13, 2022 meeting, including the request for two bonus stories.

The approval of the two bonus stories was granted by the Urban Design Commission in consideration of “the extreme attention to detail, materiality, success of the front façade, success in achieving the parking garage façade and the added investment, the purple/green roofs, [and] the narrative/intent for how the building might achieve energy efficiency through design...”

Conformance with Standards for Approval

The Plan Commission may not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: “The City Plan Commission shall not approve a conditional use without due consideration of the recommendations

in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met].”

When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall also consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.

The Planning Division believes that the conditional use request to construct the proposed mixed-use building in excess of the five-story, 68-foot height limit in the TE zoning district can meet the standards for approval. The uses, values and enjoyment and normal and orderly development of surrounding properties should not be substantially impaired or diminished in any foreseeable manner by the establishment of the building. As noted in the preceding section, the northern half of the 900-block is planned for up to fifteen-story buildings if the bonus height criteria in Urban Design District 8 are met, which the Urban Design Commission approved as part of its recent approval of the proposed fourteen-story building. The proposed building is handsomely designed, and while perhaps not as unique or visually striking as its eleven-story glass and metal predecessor, will contribute quite positively to the character of development that has emerged along the E Washington Avenue corridor over the last dozen years or so. Staff does not believe that the proposed building will negatively impact the City’s ability to provide services to the site and surrounding area, nor does staff anticipate any impacts on the transportation network resulting from the overall Archipelago Village development, which is subject to a Transportation Demand Management Plan (TDMP) approved with earlier phases of the development.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission recommend **approval** of the proposed amendment to the East Washington Avenue Capitol Gateway Corridor Plan to the Common Council and find the standards met and **approve** conditional uses to construct a ten-story mixed-use building at 920 E Main Street, all subject to input at the public hearing, the conditions of the Urban Design Commission approval, and the conditions from reviewing agencies that follow.

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

1. The applicant shall receive final approval of an updated Transportation Demand Management Plan (TDMP) by the City Traffic Engineer and Director of the Planning Division prior to approval of final plans and issuance of building permits. The final TDMP shall include an updated inventory of uses and building data for the Archipelago Village development, including the additional residential units proposed.

Urban Design Commission (Contact Jessica Vaughn, (608) 267-8740)

The Urban Design Commission granted **final approval** of the project on April 13, 2022 subject to the following condition:

2. That the concrete balconies be stained so they are more in keeping with the charcoal color of the trim.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

3. The property is an open contaminant site with the WDNR (BRRS #03-13-001608), and a closed site with continuing obligations (BRRS# 03-13-101143, 03-13-002513). 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) to Brynn Bemis ((608) 267-1986, bbemis@cityofmadison.com).
4. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
5. Construct sidewalk, curb and gutter, terrace, and pavement along E Washington Avenue, E Main Street, and S Brearly Street according to a plan approved by the City Engineer.
6. 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.
7. An Erosion Control Permit is required for this project.
8. A Storm Water Management Report and Storm Water Management Permit is required for this project.
9. A Storm Water Maintenance Agreement (SWMA) is required for this project.
10. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Wisconsin Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
11. 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.
12. 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.
13. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer.
14. Revise plan to show the location of all rain gutter down spout discharge locations.
15. The area adjacent to this development is subject to backwater flooding from Lake Monona. Minimum entrance elevations for ramps to underground parking and to entrances shall be set at elevation 852.00. Structure

exposed below this elevation shall be constructed of water resistant materials such as concrete or brick. This standard is not intended to be protective in all cases. The Developer is strongly encouraged to complete their own engineering analysis to determine and meet a protective elevation which they are comfortable with. In no case shall the protective elevation be set below the minimum threshold determined by the City Engineering Division.

16. 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.
17. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch 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.
18. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
19. 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, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
20. 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 the City Engineering Division at (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.
21. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
22. Prior to approval, this project shall comply with MGO Chapter 37 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 Storm Water Management Plan & Report shall include compliance with the following:
 - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
 - 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.
 - Reduce the peak discharge from the site during the 10-year storm event by 15% compared to existing conditions.

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

Provide onsite volumetric control reducing the total volume leaving the site in the 10 year event by 5% compared to existing conditions.

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.

23. 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.
24. 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 Jeff Quamme, (608) 266-4097)

25. An Amendment to Archipelago Village Condominium declaration and plat shall be recorded due to the change in the building, additional floors and the change of boundaries between units and common elements

26. The apartment numbers shown on the plans are not valid. They have sequencing issues and are not approved for use. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

27. The applicant shall be financially responsible for the construction of a northbound turn lane at the intersection of S Paterson Street and Et Washington Avenue as required by the City Traffic Engineer to be completed under a City Engineering developer's agreement.
28. Note: The applicant has submitted the requested Traffic Impact Analysis study and Transportation Demand Management Plan (TDMP), which have been reviewed and accepted by the Traffic Engineering Division.
29. The applicant shall be financially responsible for the installation of pedestrian-level lighting on the E Main Street and S Paterson Street frontages of their property.

30. The applicant shall submit a valet operations plan to be approved by the City Traffic Engineer prior to sign off. The plan shall include the anticipated valet routes.

31. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
32. 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.
33. 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.
34. All parking facility design shall conform to the standards in MGO Section 10.08(6).
35. The applicant(s) shall maintain a five-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 five-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.
36. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
37. 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 the City Traffic Engineer.
38. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet–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 Section 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.
39. The applicant shall provide a clearly defined five-foot 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.

40. All parking ramps as the 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 the 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.
41. 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 four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the main City of Madison Traffic Engineering office with final plans for sign off.
42. The driveway slope to the underground parking is not identified in the plan set. Traffic Engineering recommends a 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.
43. "Stop" signs shall be installed at a height of seven (7) feet 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.
44. 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.
45. 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.
46. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
47. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.
48. Secure parking facility. This is usually done with continuous six-inch curb, timbers, pre-formed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
49. Provide ADA pedestrian access to all building entrances from the public right of way.
50. 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 E Washington Avenue 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.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

51. Staff is anticipating that future conditional uses will be needed as tenants are identified for spaces in the first floor commercial portion of the mixed-use building. These conditional uses will require additional approvals from the Plan Commission.
52. The site lies within Wellhead Protection District 24. Per Section 28.102(3), all uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manager or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use.
53. 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 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 845.6 feet above sea level as established by the United States Coast and Geodetic Survey.
54. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 113 resident bicycle parking spaces are required plus 10 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five-foot access aisle for wall mount parking. A minimum of 48 bicycle stalls shall be required for the office and commercial uses. Bicycle parking for the commercial tenant spaces will be reviewed prior to obtaining zoning approval for each use. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.
55. Required loading facilities shall comply with MGO Section 28.141(13). Provide two (10' x 50') loading areas with 14 feet of vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.
56. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first 60 feet from grade are comprised of greater than or equal to 50% glass, at least 85% of the glass must be treated. All glass within 15 feet of a building corner must be treated when see through or fly through conditions exist. For building façades where the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
57. 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.

58. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

This agency has reviewed the project and did not submit any conditional of approval.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

59. This property is in a Wellhead Protection District–Zone (WP-24). The owner/applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Adam Wiederhoeft at awiederhoeft@madisonwater.org for additional information, including a summary of the submittal requirements.

60. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact the Madison Water Utility at (608) 266-4646.

61. 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 Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646. The Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

62. The applicant shall maintain or replace the concrete passenger boarding pad and bench seating amenity at the existing Metro bus stop on the south side of E Washington Avenue, east of S Paterson Street (#1565) that was a conditional of approval for the Hotel Indigo project. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access to this property.

Parks Division (Contact Kathleen Kane, (608) 261-9671)

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 East Park-Infrastructure Impact Fee district. Please reference ID# 17141.1 when contacting Parks Division staff about this project.

Forestry Section (Contact Brad Hofmann, (608) 267-4908)

64. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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.
65. 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 whose district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
66. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The 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 belowground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
67. As defined by the Section 107.13 of the *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 City Forestry (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 both the site and street tree plan sets.
68. 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.
69. Street tree pruning shall be coordinated with 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 tree plan sets.

70. Additional street trees are needed for this project. Tree planting specifications can be found in Section 209 of the *City of Madison Standard Specifications for Public Works Construction*. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: "At least one week prior to street tree planting, the 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."
71. The developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developer's Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.