



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, AICP, Director

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VIA EMAIL

March 1, 2021

Aaron Ebent
Kahler Slater, Inc.
111 West Wisconsin Avenue
Milwaukee, WI 53203

RE: LNDUSE 2020-00136 | ID# [63586](#)

Approval of an Amended PD-GDP-SIP for 223 S Pinckney Street-Block 105

Dear Mr. Ebent:

At its February 23, 2021 meeting, the Common Council approved your client's request for an amended Planned Development-General Development Plan-Specific Implementation Plan (PD-GDP-SIP). This approval is for the approval for revised plans for a nine-story, 260-room hotel development. The following approval conditions shall be satisfied prior to final plan approval, recording of the Planned Development, the issuance of building permits for this project, and, where applicable, throughout the life of the use.

Please contact Brenda Stanley of the City Engineering Division at 608-261-9127 if you have any questions regarding the following 20 items:

1. Applicant shall revise plan to include a manhole where the sanitary sewer lateral connects to the City Sewer.
2. This is a redevelopment site which does not reduce the impervious cover by 80% compared to existing conditions therefore it will have to comply with the updated MGO Ch 37 requirements as follows:
 - Rate Control: Reduce the peak discharge rate from the site by 15% as compared to existing conditions during the 10 -year storm event.
 - Volume Control: Reduce the total volumetric discharge from the site by 5% compared to existing conditions during a 10 -year storm event.
 - The rate and volume reductions will require green infrastructure for at least the first 1/2 inch of rainfall.
3. 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)

4. Construct sidewalk, terrace, planters, curb and gutter and asphalt pavement, median to a plan as approved by City Engineer.
5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
6. 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))
7. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
8. 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>.
9. 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.
10. Final approval of right of way plans by Board of Public Works may require developer to enter into maintenance agreement for non standard items (decorative paving, etc).
11. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. Obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))
12. 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)
13. 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.
14. 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>

15. 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)
16. 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.
17. 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.
18. 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>.
19. The Storm Water Management Plan & Report shall include compliance with the following:

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

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

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

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.

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.

20. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 608-266-4097 if you have any questions regarding the following 11 items:

21. The existing Public Sidewalk Easement is shown encroaching into the proposed building. Applicant shall confirm if there is an encroachment or not. If there is an encroachment, coordinate with Jeff Quamme of Engineering Mapping the release of the existing easement and the revised configuration granting of a new easement on the pending Certified Survey Map.
22. A Maintenance Agreement will be required for the proposed sculpture improvements, planters, bike racks, outdoor dining and outdoor event spaces that lie within the adjacent public right of ways. The outdoor dining and outdoor event spaces that encroach into the public sidewalk easement and public right of way shall be removed from those areas.
23. There is planned future construction and a roof top courtyard shared between this development and the future residential building to the northeast. The necessary agreement(s) to accommodate the future building construction adjacent to this building and an agreement addressing future courtyard for adjacent construction and use of the shared courtyard area shall be coordinated with the City.
24. The pending CSM will create a new lots. The 223 S Pinckney St address will be retired and associated with the original parcel that will be obsoleted and archived.
25. The address of the proposed hotel is 231 S Pinckney St.
26. 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.
27. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or an early start permit.
28. The room numbers shown on the plan set have odd and even numbers on the same side of the hallway and are out of sequence. Therefore, they are not valid for the addressing of hotel sleeping room numbers.
29. Submit a site plan and 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.
30. 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 final verification submittal stage of this LNDUSE with Zoning. The approved Addressing Plan shall be included in the final application.

31. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Please contact Sean Malloy of the Traffic Engineering Division at 608-266-5987 if you have any questions regarding the following 16 items:

32. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6)

33. The applicant shall provide a valet operations plan, the plan shall include a drop off/pick up plan along with a circulation plan.

34. 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.

35. 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.

36. 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.

37. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

38. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

39. 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.

40. The applicant shall work with Traffic Engineering to provide a loading zone that will limit the negative impacts to the adjacent public Right-of-Way. It is our experience if a site is built with a 10 foot wide

loading zone the operators of the facilities find this to be insufficient and look to the City to provide additional loading on-street. Often this is problematic if not impossible to provide and the applicants are additionally troubled when they learn no on-street loading zones are not reserved for one user.

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 three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) (ascheib@cityofmadison.com) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
42. "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.
43. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
44. 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.
45. 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 East Doty Street and East Wilson 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.
46. Applicant shall submit for review a Trash Removal Plan. This plan will include times, vehicle size, use of loading zones and all related steps to remove trash from its location.
47. The applicant shall recess all doors that swing into the existing sidewalk easement and/or pedestrian environment.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 608-266-4429 if you have questions about the following eight (8) items:

48. Final submittal of documents and plans shall include the General Development Plan information for the entirety of Block 105. This General Development Plan shall include 1) the conceptual site plan for both buildings and 2) general massing diagrams and section drawings labeling the building heights and number of stories for both buildings. The information for the Phase 1 Hotel building information should be updated based on this approval.
49. Submit the GDP and SIP Zoning text and exhibits for review and approval.

50. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). A minimum of 26 bicycle stalls shall be required for the hotel. A minimum number of bicycle stalls equal to 5% of capacity of persons is required for the restaurant-tavern. Show the number of bicycle stalls and dimensions of the bicycle stalls, including the access aisles, for the bicycle storage room. A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the bike rack design, including structured or wall mount bike racks.
51. 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. On the landscape plan, label and number the proposed trees and plantings with the planting code in addition to the identification symbol.
52. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).
53. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129.
54. 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.
55. 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.

Please contact Bill Sullivan of the Madison Fire Department at 608-261-4429 if you have questions regarding the following item:

56. Overhead lines shall not be located between the building and any aerial access lanes.

Please contact Bradley Hofmann of City Forestry at 608-267-4908 if you have any questions regarding the following four (4) items:

57. New Tree Grate Sites: 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. Tree grate type: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on the plan set.
58. Salvage Contractor shall contact City Forestry at 266-4816 to schedule delivery of salvaged tree grates to City Forestry facility. Add as a note on the plan set.
59. Street 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 plan set.

60. Forestry will issue a street tree removal permit for two (10"&12") Honeylocust trees along E Doty Street for soil retention. Contractor shall contact City Forestry at 266-4816 for the Street Tree Removal Permit. Add as a note on the plan set.

Please contact Jeff Belshaw at the Madison Water Utility at 608-261-9835 if you have any questions regarding the following item:

61. 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 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. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Janine Glaeser, Urban Design Commission Secretary at 608-267-8740 if you have any questions regarding the following item:

62. The Urban Design Commission recommends "initial approval" and that the following items be addressed in the applicant's presentation for "final approval."
- a. Final details of the end walls leaning toward Option 1. (Staff Note: This is a Reference to Materials Presented at Meeting - See Final Page of that presentation for additional information)
 - b. Enlargement and more detailed rendering of the exact metal sheathing and striation.
 - c. A fully detailed roof plan, including rooftop mechanical screening and other possible components (solar, green roof, etc.).
 - d. Refinement of the planters/plantings by eliminating the Juniper in favor of something like Prairie Drop Seed, adding more planting materials to fill them, and looking at shifting some bike racks to Doty Street.

Please contact my office at 608-267-1150 if you have any questions regarding the following two (2) items.

63. As previously approved, the underlying PD Zoning for Block 105 can be developed in two phases, one phase for each approved building. This amendment only applies to the Phase 1-Hotel building. No changes are proposed or are included for the Phase 2 "Residential" building, which was approved in 2017.

64. The revised Planned Development Plans for the Phase 1 Hotel shall not be recorded and building permits shall not be issued until the Urban Design Commission grants final approval of the revised GDP and SIP and determines that the design objectives listed in Sections 28.098(1) and (2) and other requirements of Sections 28.098(1) and (2) have been met. The applicant may appeal the Urban Design Commission's decision to the Plan Commission, which may affirm, reverse, or modify the Urban Design Commission's decision.
65. In addition to the items recommended (in condition 62), the Urban Design Commission's final approval shall include specific findings related to the final details of the proposed landscaping, including, but not limited to, details related to surfacing, planters, plantings, fixtures, and lighting. For items in the right-of-way that are not approved as part of the rezoning, staff advises that the UDC can provide an advisory opinion.
66. No HVAC "wall-pack" penetrations/louvers shall be as depicted on submitted plans. Unless specifically approved by the Plan Commission, the addition of wall packs (or similar louvers) on outward-facing walls is not included in this approval and will require approval of an alteration to this Planned Development should they be proposed at a later time.

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

After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options.) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

When the site plan verification is complete, the approved digital plans will be returned to you. Zoning staff will then require a reduced set for recording with the Dane County Register of Deeds. Such plans must include an original signature. Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

Under State Statute §66.10015(5), these land use approvals shall be valid for five (5) years from the date of the Common Council Approval granted on February 23, 2021. If this plan is not recorded by that time, as described above, the approval shall be null and void. However, this approval is further subject to the terms and conditions of the Development Agreement executed between the City and Beitler Real Estate Services, which contains shorter time periods for construction. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 608-266-4551. If I may be of any further assistance, please do not hesitate to contact me at 608-267-1150.

Sincerely,



Kevin Firchow, AICP
Principal Planner

cc: ALL VIA EMAIL

- Matt Tucker, Zoning Administrator
- Brenda Stanley, City Engineering Division
- Jeff Quamme, City Engineering Division – Mapping
- Sean Malloy, City Traffic Engineering Division
- Bill Sullivan, Madison Fire Department
- Bradley Hoffman, City Forestry
- George Austin, Project Director

I hereby acknowledge that I understand and will comply with the above conditions of approval for the Conditional Use.

Signature of Applicant

Signature of Property Owner (if not the applicant)

Accela ID: LNDUSE-2020-00136

For Official Use Only, Re: Final Plan Routing

<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: