



Department of Planning & Community & Economic Development

Planning Division

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****BY E-MAIL ONLY****

June 10, 2025

Kevin Burow
Knothe & Bruce Architects, LLC
8401 Greenway Boulevard, Suite 900
Middleton, Wisconsin 53562

RE: Consideration of a conditional use in the Commercial Corridor–Transitional (CC-T) District for a mixed-use building with less than fifty percent (50%) of non-residential ground-floor frontage facing the primary street, including all frontage at a street corner; and consideration of a conditional use in the CC-T District for dwelling units in a mixed-use building with greater than 60 units, all to allow construction of a four-story mixed-use building containing approximately 6,200 square feet of commercial space and 156 apartments and associated site improvements at 3450 Milwaukee Street on Lot 4 on Outlots 2 and 3 of the approved but currently unrecorded *Starkweather* plat (ID 88200; LNDUSE-2025-00038).

Dear Kevin,

At its June 9, 2025 meeting, the Plan Commission found the standards met and **approved** your conditional use request. The conditions of approval in the following sections shall be satisfied prior to issuance of building permits for the project.

Please contact Rebecca Qureishi of the City Engineering Division at (608) 266-4089 if you have questions regarding the following twenty-one (21) items:

1. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the City/County Health Department shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.
2. The applicant shall provide projected wastewater calculations. Off-site sewer improvements by the developer will likely be required on Leon Street from Milwaukee Street to Starkweather Drive as a condition for development. The applicant shall submit projected wastewater calculations to Mark Moder at mmoder@cityofmadison.com.
3. The applicant shall revise the plans to show the City utilities for Leon Street as designed by the City (Project #15389).

4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division 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.
5. An Erosion Control Permit is required for this project.
6. A Storm Water Management Report and Storm Water Management Permit is required for this project.
7. A Storm Water Maintenance Agreement (SWMA) is required for this project.
8. 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 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.
9. Based on historical documents (BRRS# 09-13-296938), the property may contain residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
10. The applicant shall revise grading and site plans to match public improvement plans designed by City Engineering for public improvements under project number 15389.
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. 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 is 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.
13. 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-year design storm that is current in MGO 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.

14. 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.
15. 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.
16. Demonstrate compliance with MGO Section 37.07 and 37.08 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.
17. 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 Division approvals may be required prior to the issuance of the required Erosion Control Permit.
18. 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.
19. 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.
20. 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. 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.
 - Detain the 2-, 5-, 10-, 100- and 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.
 - Provide infiltration of 90% of the pre-development infiltration volume.
 - Treat the first half inch of runoff over the proposed parking facility.

Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

The applicant shall demonstrate that water can leave the site and reach the public right of way without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

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.

21. 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 Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have any questions regarding the following eight (8) items:

22. Note both preliminary plat and final plat of Starkweather Plat had the following condition of approval: "Adjust the eastern lot line of Outlot 4 such that it is at least a minimum 20 feet east of the 100-year floodway to provide space for the multi-use path. The common line of Outlot 3 and Outlot 4 may be subject to change to allow for the path improvements on which site grading and amphitheater improvements have been shown. Confirm the proposed design with the final required configuration of the outlot."
23. The apartment building address and commercial tenant address will be determined when an addressing plan is created. 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.
24. Coordinate and request from the utility companies serving this area the easements required to serve this development. Note: Utility easements have been shown on the final plat and may conflict with improvements for bike parking. Coordinate and request from the utility companies serving this area to confirm proposed improvements will not impact their needs and other impacts and needs that may arise before final platting.
25. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the final plat recording and prior to building permit issuance.
26. Provide for review the agreements that will allow Lot 4 the proposed construction, pedestrian access, and use of the common areas on Outlot 2.
27. Provide for review the agreements that will allow Lot 4 the proposed construction, pedestrian access, and use of the common areas, storm water, ponds and drainage and Storm sewer improvements on Outlot 3.

28. The pending final plat for this property shall be completed and recorded with the Dane County Register of Deeds, 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 and early start permits for new construction.
29. 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 indicating the number of apartments on each floor. 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 Addressing Plan shall be included in said Site Plan Verification application materials. Per Section 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 Addressing Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

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

30. The applicant shall submit for review a Waste Removal Plan, which shall include vehicular turning movements.
31. The applicant shall submit for review a Commercial Delivery Plan, which shall include times, vehicle size, use of loading zones and all related turning movements.
32. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
33. 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.
34. 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.
35. All parking facility design shall conform to MGO Section 10.08(6).

36. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
37. Per Section MGO Section 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.
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 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 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. 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 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.
40. 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, ((608) 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 main office with final plans for sign off.
41. The driveway slope to the underground parking is not identified in the plan set, the Traffic Engineering Division recommends driveway slopes 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.
42. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheelchair 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.
43. "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.
44. 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.

45. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have questions regarding the following item:

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

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

47. Provide one or more ground floor (first floor) entrances from the primary abutting street (Milwaukee Street).
48. Bicycle parking for the 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 three (3) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. 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.
49. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For residential uses at ground level, a minimum of 15% of the ground level of residential facades or side and rear facades not fronting a public street shall consist of windows and door openings. On upper stories, window or balcony openings shall occupy a minimum of 15% of the upper-story wall area.
50. 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 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. All glass railings 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 product that will be used.
51. 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.
52. 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 Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have questions regarding the following two (2) items:

53. The developer shall construct the public water distribution system and services required to serve the proposed subdivision per MGO 16.23.
54. All public water mains and water service laterals shall be installed by a standard City subdivision contract / City-Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement.

Please contact Adam B. Kaniewski of the Parks Division at (608) 261-4281 if you have questions regarding the following item:

55. 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(6)(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. The Park Impact Fee ID# for this project is 23026.1.

Please contact Bradley Hofmann of the Forestry Section at (608) 267-4908 if you have questions regarding the following item:

56. As defined by MGO Section 10.10, City Forestry will assess the full cost of the street tree installation to the adjacent property owner. City Forestry will determine street tree planting sites and tree species type. Street tree planting will be scheduled after there is substantial completion of the new development along the street segments.

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

57. In coordination with public works improvements, the applicant shall construct a new concrete boarding pad surface on the north side of Milwaukee Street west of Leon Street. This concrete boarding pad surface would replace the current accessible boarding terrace.
58. 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 on the north side of Milwaukee Street west of Leon Street. If located in the public right-of-way, the applicant should be aware of the requirements set forth in MGO Section 10.31, as well as the timelines necessary to submit a Privilege in Streets (Bus Shelter) application and should contact the City's Office of Real Estate Services for information and assistance with the Privilege in Streets (Bus Shelter) application process. An approved Encroachment Agreement, for the bus stop amenity, shall be executed prior to sign off - if located in the public right-of-way.
59. The existing curbside bus stop zones and accessible pedestrian boarding terrace areas on the north side of Milwaukee Street, west of both Walter Street and Leon Street, provide critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zone 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 Milwaukee Street at Walter Street and Leon Street intersection areas in a comparable operational and accessible manner.

60. The applicant shall include the location of any of these transit amenities on the final documents filed with their redevelopment permit application, so that Metro Transit may review the design

Please contact my office at (608) 261-9632 if you have questions about the following four (4) items:

61. For clarity, please increase the weight of the lines depicting Lot 4 and Outlots 2, 3, and 4 on all civil and architectural site plan-related sheets to more clearly show the limits of the mixed-use building site and the improvements on the private open space and stormwater management outlots, which will be common to the development.
62. Revise the civil plan sheets prior to final plan approval to include a clearer and more consistent labeling for the limits of the environmental corridor, floodway, 100-year floodplain. The line weights and colors on some of the sheets overlap, while the lines are not present on others. A legend should be included on all relevant sheets that clearly identifies each line.
63. Revise Sheet CA 101 to remove the estimated setback lines and include instead the actual setback dimensions shown on the civil site plan (Sheet C 102).
64. As shown on the attached zoning plans, the developers are proposing more active uses for Outlots 2 and 3 than stormwater management. For clarity, it is recommended that the final plat of *Starkweather* be revised prior to its recording to list additional private uses (open space, etc.) for Outlots 2 and 3 in addition to the stormwater management use indicated for those parcels on the final plat approved by the Plan Commission in October 2024. The revised labels should be included on the final plat submitted for final approval and recording.

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

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

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the **site plan review fee** shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor

alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void two (2) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to one (1) year from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

LNDUSE-2025-00038			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Forestry Section
<input checked="" type="checkbox"/>	Water Utility	<input checked="" type="checkbox"/>	Other: Metro Transit

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*