



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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

December 10, 2021

Brian Munson
Vandewalle & Associates
120 East Lakeside Street
Madison, WI 53715

RE: Consideration of a demolition permit to raze four commercial buildings as part of the redevelopment; and a Planned Development zoning map amendment to change the zoning of the properties located at 341 State Street, 315-321 W Gorham Street and 322 W Johnson Street from the UMX (Urban Mixed-Use) and DC (Downtown Core) Districts to PD(GDP-SIP) (Planned Development (General Development Plan, Specific Implementation Plan)) District. [LNDUSE-2021-00081; ID [67120](#) and [66109](#)]

Dear Brian;

At its December 7, 2021 meeting, the Common Council **approved** two zoning map amendments (a rezoning to PD(GDP) and a PD(SIP)) for the subject property. The Plan Commission **approved** the demolition permits for the project at its November 22, 2021 meeting. These approvals are subject to the conditions in the following sections, which shall be satisfied prior to final approval and recording of the General Development and Specific Implementation Plans, and the issuance of building permits for the project.

Please contact Kevin Firchow, Urban Design Commission Acting Secretary, at (608) 267-1150 if you have any questions regarding the following item:

1. Based on the Alder's statement, the UDC has provided an advisory recommendation that structural soil be utilized for the street trees to give them a better chance of reaching maturity.

Please contact Timothy Troester of the City Engineering Division–Main Office at (608) 267-1995 if you have any questions regarding the following twenty-five (25) items:

2. Based upon the unit count, the City sanitary sewer does not appear to be large enough to provide sanitary sewer service to the proposed high density site re-development. Developer shall replace sewer in Broom Street from W. Dayton St. to the location on Broom Street where the proposed development connects to City sewer as a condition for development. Developer shall provide a projected sanitary discharge flow for the development to Mark Moder, mmoder@cityofmadison.com, (608) 261-9250 so that the sewer improvements in Broom Street can be properly sized.

3. The City has limited sanitary sewer capacity in downtown area. Applicant shall install measures to limit pool discharge rates to 100 gpm or less if connecting and discharging to the sanitary sewer.
4. The discharge from the pool needs to be understood. If discharging to sanitary there are likely maximum discharge rates (100 gpm or less). If discharging to storm sewer a health permit for non-storm discharge is required.
5. If the redevelopment site has proposed impervious cover that exceeds 80% of the existing site impervious cover, the site shall meet the following requirements: Peak Runoff shall be reduced by 15% compared to existing conditions during the 10-year design storm. Run-off volume shall be reduced by 5% compared to the existing conditions during a 10-yr design storm. Green infrastructure shall be required for rate and volume reductions for at least the first 1/2inch of rainfall.
6. Developer is made aware that proposed storm appears shallow, and has a significant amount of other utilities in the same 3-D space. The Applicant will be required to connect to the storm and find a way to work around these conflicts.
7. 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)
8. Construct asphalt, curb and gutter, terrace, sidewalk and pedestrian bumpouts to a plan as approved by City Engineer. Reconstruct new stormwater inlets and leads for pedestrian bumpouts. Note: Sidewalks on W. Gorham St. & W. Johnson St. are required to be 17' wide (8' terrace, 8' sidewalk, 1' behind sidewalk).
9. Construct public sanitary sewer, storm sewer, and drainage improvements as necessary to serve the lots within the plat/csm. (MGO 16.23(9)(d))
10. 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))
11. Provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
12. 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))
13. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))

14. If this project requires 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.
15. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
16. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
17. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

18. Abandon all existing subterranean vaults in the ROW.
19. 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)
20. Revise plan to show the location of all rain gutter down spout discharge locations. (POLICY)
21. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
22. 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.
23. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

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

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

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

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

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

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

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

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

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

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.

25. 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.
26. 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 Jeffrey Quamme, of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following eleven (11) items:

27. A draft petition of the partial alley discontinuance that is proposed with this development has not yet been provided for preliminary review by City Agencies. Provide a draft petition with maps showing the proposed portion of the alley to be discontinued for review and comment by City agencies. Upon the review and comments of City Agencies being addressed, the Developer shall petition for the partial alley discontinuance and vacation for the alley off of W Johnson Street currently serving the backs of parcels on Gorham, State and E Johnson Streets. A petition along with legal description and sketch of the right of way to be vacated, any additional easement area maps for access and turnaround to be granted to the adjacent owners and the City of Madison along with any other required materials.

The resolution for the discontinuance shall be conditioned upon any required access easements benefitting the adjacent owners and the City of Madison being finalized and agreed upon with the adjacent owners and the City of Madison. Any required easements shall be recorded prior to final site plan sign off.

Please note that any existing Utilities having facilities within any portion of the alley to be discontinued will retain easement rights within that discontinued area. The Applicant is encouraged to contact those utilities to coordinate any movement of utilities and additional easements required for the development.

28. Grant a permanent limited easement to the City of Madison for a turn around adjacent to public alley. The easement text include: Permanent Limited Easement benefitting the City of Madison for public vehicular turnaround improvement purposes. Contact Jeff Quamme for to confirm the final text, terms and conditions.

Note: The Subterranean Electric Vault under turnaround will require MGO 10.31 Loading of (250 PSF).

29. The Site Plan indicates a transformer vault encroaching into the public right of way of S Broom Street and the Public Alley to remain. The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement. Link as follows - <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.

Note: Vault will not be permitted under street within 2' of Face of Curb on S Broom Street. Vault must follow MGO 10.31 loading (250 PSF).

30. The site plan shall show the portion of the public alley area to be discontinued and the public alley area to remain. Also show the future turnaround / access easement as required at the end of the alley as needed for adequate turnaround and access.

31. 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 early start.
32. The site subject to Privilege in streets agreements for an electrical vault and building footings per Doc No's 1736103 and 2010467 within the alley, State Street and W Gorham St. The agreements with the City shall be terminated upon the recording of the partial discontinuance of the alley and prior to the recording of the CSM. Contact City of Madison Office of Real Estate Services to coordinate the releases.
33. The site is subject to Privilege in streets agreement for a fire escape per Document No.'s 1740646 and 1986482 within the alley to be discontinued. The agreements with the City shall be terminated upon the recording of the partial discontinuance of the alley and prior to the recording of the CSM. Contact City of City of Madison Office of Real Estate Services to coordinate the release.
34. The current plans do not indicate any improvements encroaching any of the adjacent public right of ways. Although, there are some fixed canopies shown in the renderings that appear very near the public right of ways or possibly extending into the right of ways. The Applicant shall confirm and note on the plans all encroachments into any public right of way, including, (but not limited to) balconies, roof overhangs, fixed canopies and underground vaults. If there are any encroachments, either remove them from the right of way areas or make an application with City of Madison Real Estate for a privilege in streets agreement. Link as follows - <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.
35. The site is subject to Privilege in streets agreement for a bike racks per Document No. 5065701 within W Gorham St. The agreement with the City shall be terminated upon the removal of the bike racks from the right of way. Contact City of City of Madison Office of Real Estate Services to coordinate the release.
36. All existing addresses will be retired and archived with the demolitions and the recording of the certified survey map.

The base address of the apartments is 339 W Gorham St. Additional addresses will be determined with the creation and approval of the addressing plans. Commercial tenant spaces will be determined when tenant space configurations are known.

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.

37. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan 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 second review submittal for this LNDUSE with Zoning. The approved Addressing Plan shall be included in said final submittal.

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 added, changed and/or reapproved.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following nineteen (19) items:

38. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
39. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of an eight (8)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.
40. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of an (eight)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.
41. The applicant shall construct a bump out at the Northeastern corner of the W. Gorham Street/ N. Broom Street intersection according to plan approved by City Traffic Engineer. Applicant shall enter into a developer's agreement with City Engineering to complete the work.
42. 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.
43. 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.
44. 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.
45. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

46. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
47. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
48. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
49. 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.
50. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by DeAndre Newson, (266-4768, dnewson2@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
51. "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.
52. 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.
53. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
54. 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.

55. 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 Gorham Street, Johnson Street, State Street, and Broom 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.
56. Note: The applicant has submitted the requested Traffic study and Transportation Demand Management Plan; the studies has been reviewed and accepted by Traffic Engineering.

Please contact Jenny Kirchgatter of the Zoning Division at (608) 266-4429 if you have any questions regarding the following thirteen (13) items:

57. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
58. Work with Zoning and Planning staff to finalize the zoning text for the Planned Development.
59. Per Section 28.134(3) Capitol View Preservation, show the height of the building per City Datum. No portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum. Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses. For the purpose of this subsection, City datum zero (0.00) feet shall be established as eight hundred forty-five and six-tenths (845.6) feet above sea level as established by the United States Coast and Geodetic Survey.
60. Show the 30' setback along the State Street frontage on the fourth floor plan. A 30' setback is required above four stories on the State Street frontage.
61. Provide electric vehicle stalls per Section 28.141(8)(e) *Electric Vehicle Charging Station Requirements*. A minimum of 10% of the residential parking stalls (21 stalls) must be electric vehicle ready, and a minimum of 2% of the stalls (4 stalls) must be electric vehicle installed. One (1) of the electric vehicle installed stalls must be an accessible stall. Identify the locations of the electric vehicle ready and installed stalls and add the counts to the parking summary.
62. 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 12 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.

63. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 530 resident bicycle stalls are required plus a minimum of 39 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Show the dimensions of the bicycle stalls and the access aisles on the plans. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. The access aisles must not be obstructed by vehicles, columns or other structures. Provide details of the proposed bike racks including any structured or wall mount bike racks.
64. Moped parking is not required, however where moped or scooter off-street parking is provided it shall meet the standards of Section 28.142(12). Show the dimensions of the moped parking spaces. Spaces shall be a minimum of three (3) feet by six (6) feet in size with a drive aisle of five (5) feet wide.
65. 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.
66. 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 greater than or equal to fifty percent (50%) glass, at least eighty-five percent (85%) of the glass must be treated. All glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas will be treated, and provide a detail of the specific treatment that will be used.
67. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. If exterior building lighting is provided, submit an exterior lighting plan and fixture cut sheets with the final plan submittal.
68. 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.
69. 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) 261-9658 if you have any questions regarding the following two (2) items:

70. Provide additional fire access lanes/details. Plans indicate the required aerial access requirements but need to ensure compliance with other elements per MGO 34.

71. Refer to City Engineering regarding addressing compliance. The project will have a Gorham Street address. Update all documents accordingly.

Please contact Ann Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following item:

72. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 21024 when contacting Parks about this project.

Please contact Brad Hofmann of the Forestry Division at (608) 267-4908 if you have questions regarding the following fourteen (14) items:

73. 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. Show all existing street trees on plan.
74. 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.
75. Contractor shall contact City Forestry at 266-4816 to issue a street tree removal permit for 3 street trees 6" Pear & 6" Elm tree along W Gorham for staging & 2" Locust along W Johnson St for a loading dock approach. The 7" Elm street tree along N Broom St may be removed depending upon the design placement of an underground utility vault. This right of way encroachment proposal will be reviewed by Forestry under the Privilege in Streets Agreement. Add as a note on the plan set.
76. 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.
77. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.

78. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
79. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
80. 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 the plan set.
81. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
82. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - 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, 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.
83. 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 with frame type: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on the plan set.
84. On this project, the installation of a pavement support system (Silva Cell, GreenBlue or equivalent as approved by city) surrounding tree grate locations is required when the terrace is concrete. The Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations before support system installation. Add as a note on the plan set.
85. Applicant shall work with City Forestry and Engineering during the right of way design process to address street tree and utility conflicts. Any street tree removals due to utility improvements within the right of way shall be reviewed and approved by the Board of Public Works. Any approval of Privilege in Streets Agreements shall be reviewed by Forestry for street tree impacts.

86. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering. In the event that street trees are damaged during the construction process, the Developer shall reimburse the city for the loss of each street tree.

Please contact Jeff Belshaw of the Madison Water Utility at 261-9835 if you have any questions regarding the following three (3) items:

87. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions.
88. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
89. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Tim Sobota, Metro Transit, at (608) 261-4289 if you have any questions regarding the following five (5) items:

90. In coordination with public works improvements, the applicant shall maintain or replace the existing concrete boarding terrace at the bus stop on the east side of N Broom Street, south of W Gorham Street (#0087).
91. 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. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. (MGO 10.31)
92. The existing curbside bus stop zone and accessible pedestrian terrace area provide critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zone or shelter in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff - in order to create an alternate bus stop zone that would serve the N Broom Street at W Gorham Street intersection area in a comparable operational and accessible manner.

93. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
94. Metro Transit operates daily all-day transit service along N Broom Street, adjacent this property (at least ten trips per hour, on weekdays, effective Fall of 2021). Bus stop ID #0087 is on the east side of N Broom Street, south of W Gorham Street. Trips primarily depart this curbside stop using the traffic signal to complete their left turn movement into northern curb lane of westbound W Gorham Street.

Please contact my office at cwells@cityofmadison.com if you have questions regarding the following condition which was added by the Plan Commission at their November 22, 2021 meeting:

95. That the applicant submit a detailed management plan to be approved by the Planning Division Director.

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

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

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

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and [site plan review 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.
2. The [site plan review fee pursuant to Section 28.206](#) can be mailed in, dropped in the drop box at the Madison Municipal Building, or you can make an appointment at the Zoning counter to pay the fee. Checks should be made out to "City Treasurer." If you mail in the check or use the drop box, please include the application form with the project address and contact information. Zoning staff typically suggest using the drop box or making an appointment with the Zoning counter to pay the fee as they are the quickest.

Mailing Address: City of Madison Building Inspection. P.O. Box 2984. Madison, WI 53701-2984

Drop Box Location: Madison Municipal Building, Doty Street Entrance. 215 Martin Luther King Jr Blvd. Madison, WI 53701-2984

Zoning Counter Appointment: <https://www.cityofmadison.com/dpced/bi/schedule-a-counter-appointment/3423/>

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. 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.
5. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, (608) 267-4908.
6. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit 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 24 months from the expiration date.
7. 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 one (1) year 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 24 months 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 demolition or building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9135.

Sincerely,



Chris Wells
Planner

- cc: Timothy Troester, City Engineering Division
Jeff Quamme, City Engineering Division–Mapping
Sean Malloy, Traffic Engineering Division
Jenny Kirchgatter, Zoning Administrator
Bill Sullivan, Fire Department
Ann Freiwald, Parks Division
Jeff Belshaw, Water Utility
Brad Hofmann, Forestry Division
Tim Sobota, Metro
Bryan Johnson, Streets Division

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

<i>Signature of Applicant</i>	

<i>Signature of Property Owner (if not the applicant)</i>	

LNDUSE-2021-00081			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry