



PREPARED FOR THE PLAN COMMISSION

Project Address: 740 Regent Street (4th Aldermanic District – Ald. Verveer)
Application Type: Zoning Map Amendment and Certified Survey Map
Legistar File ID # [69572](#) & [69965](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted
Reviewed By: Heather Stouder, AICP, Planning Division Director
Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Linda Irving; Trinitas Development LLC; 159 N Sangamon Dr, Ste 200; Chicago, IL 60607
Contact: Chris Sachse; BKV Group; 209 S LaSalle, Ste 920; Chicago, IL 60604
Property Owner: The Alexander Company; 2450 Rimrock Rd, Ste 100; Madison, WI 53713

Requested Actions: Approval of a request to rezone 740 Regent Street from PD-SIP (Planned Development – Specific Implementation District) to amended PD-SIP to construct an apartment building.

Proposal Summary: The applicant is requesting approval to amend the PD-SIP at 740 Regent Street to permit the construction of a 12-story residential building with 341 dwelling units and 344 structured parking stalls on a lot to be create via a related CSM.

Applicable Regulations & Standards: Section 28.182 M.G.O. provides the process for zoning map amendments. Section 28.098 M.G.O. describes the use and processes for Planned Development Districts.

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

Summary Recommendation: The Planning Division recommends that if the Plan Commission can find the standards for Planned Developments met, that it forward Zoning Map Amendment IDs 28.022-00557 and 28.022-00558, rezoning 740 Regent Street from PD-GDP-SIP (Planned Development – General Development Plan – Specific Implementation Plan District) to amended PD-GDP-SIP and the related Certified Survey Map to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies found in this report.

Background Information

Parcel Location: The two existing parcels at 700-740 Regent Street are approximately 2.77 acres combined and located on the north side of Regent Street between East Campus Mall and West Washington Avenue, directly south of the Wisconsin and Southern rail line. The parcel is within Aldermanic District 4 (Ald. Verveer) and the Madison Metropolitan School District. The proposed parcel, located on the northern halves of the two existing lots, is 1.08 acres and borders the Southwest Commuter Trail multi-use path.

Existing Conditions and Land Use: The subject property is currently developed with a three-story, 35,490-square foot office building built in 1994 and a four-story, 47,185-square foot office building built in 1996, with a large parking lot to the rear of the lots, zoned PD (Planned Development District). The proposed lot is currently developed only with parking.

Surrounding Land Uses and Zoning:

West: A six-story hotel and a three-story office building, both zoned PD (Planned Development District);;

South: On the same currently existing parcel, a three-story and a four-story office building zoned PD (Planned Development District); across Regent Street, one-and two-story multi-family residential buildings zoned TR-U1 (Traditional Residential-Urban 1 District) and a multi-story medical clinic zoned TE (Traditional Employment District);

East: A three-story mixed-use building with large parking lot, all zoned PD; and

North: Across the Southwest Commuter Trail and Wisconsin & Southern rail line, the University of Wisconsin LaBahn Arena and Kohl Center, zoned PD.

Adopted Land Use Plans: The [Comprehensive Plan](#) (2018) recommends Employment uses for the site. The [Downtown Plan](#) (2012) recommends predominantly employment uses and a 12-story maximum height for the site.

Zoning Summary: The proposed lot is currently zoned PD-SIP is requesting amended PD-SIP zoning.

Zoning Criteria	Required	Proposed
Lot Area (sq. ft.)	As approved	47,000
Lot Width	As approved	460 ft
Front Yard Setback	As approved	As shown on approved plans
Side Yard Setback	As approved	As shown on approved plans
Rear Yard Setback	As approved	As shown on approved plans
Usable Open Space	As approved	As shown on approved plans
Maximum Lot Coverage	As approved	77%
Maximum Building Height	12 stories	12 stories

Site Design	Required	Proposed
Number Parking Stalls	As approved	336
Accessible Stalls	8	11
Loading	No	No
Number Bike Parking Stalls	419	473 (1.)
Landscaping	Yes	Yes (2.)
Lighting	Yes	Yes
Building Forms	As approved	As shown on approved plans

Other Critical Zoning Items	Urban Design (PD), Utility Easements
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Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

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

Previous Approvals

A plat and Planned Unit Develop (PUD) General Development Plan (GDP) for the West Rail Corridor/West Madison Depot was approved in 1988, covering the northern 600 and 700 blocks of Regent Street. A number of GDP amendments, Specific Implementation Plans (SIP), and SIP Alterations were approved over the subsequent years. A PUD-SIP was approved for the existing three-story office building at 740 Regent Street, directly in front of the proposed location for the requested hotel, in 1993. In 1997, an amended GDP was approved for an office building, parking structure, and a hotel within the large shared parking lot behind the office buildings developed along Regent Street. In 2019, an amended GDP and SIP was approved to construct a six-story hotel immediately west of the subject site within the parking lot. The approved hotel has been constructed and opened as a Hilton Garden Inn.

Please note that approvals prior to the 2013 zoning code rewrite are referred to Planned Unit Developments (PUD). Under the current zoning code, this zoning district is called the Planned Development (PD) District.

Project Description

The applicant has requested approval of an amendment to the existing Planned Development District-General Development Plan-Specific Implementation Plan (PD GDP-SIP) at 700-740 Regent Street to permit the construction of a twelve-story residential building with 341 dwelling units. The proposed unit mix includes 116 efficiencies, 77 one-bedroom units, 61 two-bedroom units, one three-bedroom unit, 67 four-bedroom units, and 19 five-bedroom units for a total of 681 bedrooms. The building lobby, management office, and first-floor amenity areas are located at the west end of the building to orient toward the Regent Street vehicle entrance, bicycle path, and active areas of the adjacent hotel. The first-floor amenity areas include the resident lobby, leasing offices, reception desk, mail and package rooms, study room, and elevator lobby. Amenities on upper floors include a lounge for residents, fitness center, landscaped rooftop terraces, and a rooftop pool. There are two outdoor amenity terraces on the third floor and one on the ninth floor. A courtyard amenity space on third floor within the residential tower is shown to include a fire pit, seating areas, and decorative lighting. A pool deck above the twelfth floor also includes a fire pit and seating, grilling, and eating areas. A twelfth-story gym, resident lounge, and community room are adjacent to the pool deck amenity terrace. Private balconies are shown on all four facades, though not all units have private balconies, and there is a mix of hanging and inset balcony types. The first floor of the east end of the building include predominantly "back of house" spaces and activities, including a trash room, maintenance and mechanical areas, and a pedestrian access for office tenant parking structure users.

Two underground and two-and-one-half above-ground parking levels accommodate 344 structured vehicle parking stalls. Of these, 235 vehicle parking will be replacing existing office tenant surface parking for the office buildings at 700 and 740 Regent Street, leaving 109 vehicle stalls for use by the tenants of the proposed residential building. The entrance to the parking garage is from the south (Regent Street) side of the property, near the building's southwest corner. The proposal also includes 473 indoor bicycle parking stalls and 10 outdoor temporary bicycle parking stalls. A significant portion of the bicycle parking (87 stalls) is located just within the north façade of the building facing the shared use path behind a perforated metallic screen on which a large-scale art graphic is proposed to be printed. A bicycle repair area is also located to the east end of the screened bicycle storage area.

The proposed building's primary façade material is a reddish ribbed metal panel. Secondary materials include a gray brick veneer, gray metal panels and trim, steel-framed PVC windows and storefront systems, and the aforementioned printed perforated metal panels screening the ground-level bicycle parking facing the multiuse path.

The applicant proposes to install landscaping, grass turf lawns, ornamental and canopy trees, hardscaped plazas, pedestrian-scaled lighting, and seating within the City-owned parcel between the shared use path and the proposed building, similar to the treatment adjacent to the Hilton Garden Inn. Additional landscaping primarily includes shrubs, ornamental trees, and decorative grasses around the base of the building. A space for a food truck to park is located at the northeast corner of the site, near the northern lawn area and shared use path.

If approved, the applicant intends to begin construction in early autumn 2022, with completion and occupancy in late summer 2024.

Analysis

This request is subject to the Zoning Map Amendment [Section 28.182(6)] and Planned Development standards [Section 28.098(2)] of the Zoning Code. The analysis below begins with a summary of the adopted plan recommendations as the specific approval standards reference these documents.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Employment uses for the site. The employment designation includes primarily corporate and business offices, research facilities, laboratories, hospitals, medical clinics, and other similar uses. Some limited retail and service establishments may be included, but should be compatible with the density and scale of surrounding development. Additionally, the [Comprehensive Plan](#) identifies underutilized commercial areas, such as large surface parking lots, as redevelopment opportunities for adding additional, more intense development, while minimizing impact to low-density residential neighborhoods.

More specific recommendations are provided in the [Downtown Plan](#) (2012). The Downtown Height map specifies a maximum building height of twelve stories for this area. The Downtown Plan identifies this block as Predominant Employment and identifies this area as an "underutilized site/and/or obsolete building." The [Downtown Plan](#) makes further recommendations for the West Rail district encouraging infill with taller buildings closer to the railroad corridor. Predominant Employment acknowledges that other uses, including residential, may be appropriate. Within the area west of Northshore Drive, a large number of residential units have been approved in an area with the same recommendation. Given the need for housing and the softening market for office uses, this use may be acceptable in this area. However, in pre-application discussions, staff have noted that the placement of a large residential building behind an office complex within a surface parking lot may present challenges in establishing a desirable environment of the site for future residents. Staff believes that since the proposed building cannot be oriented to a street, it is important that the development is well-oriented to the multiuse path to the north, its only true public connection.

Zoning Map Amendment Standards

Staff believes that the Zoning Map Amendment standards can be found met. These standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and

federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." While proposal is not a traditional office or other standard employment typology, the proposal within the context of the planned development district and its other uses and the emphasis within the Downtown Plan that "predominant employment" areas can include a mix of uses lead staff to believe that the proposal could be found to be generally consistent with the Comprehensive Plan.

Planned Development Standards

Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. The resultant development should feature high-quality architecture and building materials. Specific design objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans. See Zoning Code Section 28.098(1) for further information. The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. On balance staff believes it is possible that the standards of 28.098(2) can be found met subject to the conditions from reviewing agencies found at the end of this report, and provides additional discussion on the following standards.

Standard (a) states, in part, that, the applicant shall demonstrate that *"No other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the PD objectives"* of Section 28.098(1). As this request is already part of a larger multi-property PD-GDP, the Planning Division believes it is appropriate to maintain PD zoning.

Standard (d) states, in part, that *"The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands."* While this proposal is eliminating a large number of surface parking spaces, it does replace them with structured parking and reconfiguration of other parking areas for a net gain of 163 parking stalls. Further, staff anticipates that due to the proposal's proximity to the University of Wisconsin and easy access to both the Southwest Commuter Trail and East Campus Mall, many residents will likely be students and commute to school by foot or bicycle.

Standard (e) states that *"The PD District Plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District."* Staff has have discussed ongoing concerns regarding some design elements of this proposal- including concerns regarding the ground floor activation and the organization of uses within. Staff acknowledge that the applicant has made some adjustments to the building's ground level since initial concepts, though as noted below, the ground level is still comprised with a majority of structured parking along its frontages.

Action 1A in the Comprehensive Plan's Cultural and Character chapter recommends emphasizing high quality, "human-scaled" design in new buildings and public spaces. Such considerations generally include the scale, form, rhythm, texture, materials, detail, and other aspects of buildings and public spaces that make them more comfortable, approachable, and usable for all people.

In this instance, the proposed building is over 400 feet long and has active interior uses with glazing to visually connect those uses to the outside along only about a quarter of its perimeter. Even along the multiuse path, only about 100 linear feet of the façade house interior gathering spaces, lobbies, or offices. The majority of this façade encloses bicycle parking behind a printed perforated screen. The majority of the first floor façade facing Regent Street encloses structured vehicle parking. In discussions with the development team, they have sought to improve the visual orientation towards the path through various design features, but have indicated to staff that they wished to proceed with the general ground-level programming as shown in the submitted plans.

The table below compares this proposal with the several recent comparable proposals, including the adjacent Hilton Garden Inn (approved July 2019), the Oliv (approved December 2021) and Verve (approved January 2022) student-oriented mixed-use proposals, and 575 Zor Shrine Place (approved July 2021), which included two lengthy residential buildings adjacent to surface parking. The table identifies the lengths of the proposed façades that are “activated” with first floor interior occupied spaces with glazing (not including structured parking). The length of each façade along the adjacent multiuse path similarly activated is also provided for the current proposal and the Hilton Garden Inn. As noted below, the proposed building is larger than the recently approved hotel development, but has a similar percentage of ground floor activation along the adjacent path.

Proposal	Building Perimeter	Activated Length	Percent Activated	Path Façade Length	Path Façade Activation	Percent Activated
740 Regent St Trinitas Proposal	1043 ft	280 ft	26.8%	405 ft	98 ft	24.2%
Hilton Garden Inn (760 Regent St)	882 ft	320 ft	36.3%	313 ft	79 ft	25.2%
Oliv (341 State St, et al.)	1268 ft	633 ft	49.9%	-	-	-
Verve (504-524 W Johnson St, et al.)	784 ft	383 ft	48.9%	-	-	-
575 Zor Shrine Pl	1012 ft 1089 ft	805 ft 917 ft	79.5% 90.6%	-	-	-

Recommendation of Urban Design Commission

As a Planned Development, an advisory recommendation from the Urban Design Commission is required prior to Plan Commission consideration of the request. At its March 9, 2022 meeting, the UDC granted *initial* approval to the proposal. In the staff report to the UDC, staff requested feedback on the following: ground level activation; building composition / massing / upper level “longviews;” light-well oriented units; and future signage areas. In response, the UDC did not recommend additional conditions regarding the ground level activation or signage areas. In regards to the façade composition, the UDC requested information on how the required removal of a set of balconies would impact the design. (See below Discussion). The UDC did note concerns regarding the accuracy of the landscape plan and appropriateness of the species selected for the landscaped plaza space on the north side of the building. While generally indicating support for the project, some members of the UDC expressed concerns about the usability and design of the internal courtyard and how the design of the building, particularly of the north façade, will be impacted by changes to the balconies. Their motion requested a corrected and revised landscape plan, a revised northern façade elevation showing the removal of balconies and any other changes to the design, and additional images and information regarding the internal courtyard. The UDC report is attached.

City-Owned Property

Staff also notes that both the City Engineering Division and the Traffic Engineering Division have recommended conditions that note that the leased City-owned parcel at the rear of the site is reserved for future transportation and the current lease is considered an interim use. The existing lease is proposed to be split into two new lease agreements (one for the Residential Development and the other for the remainder of the current lease area). Necessary new leases will be drafted by the Office of Real Estate Services and approved by the Common Council. All private improvements and landscaping within the lease area shall be subject to approval by City of Madison Engineering and will be subject to removal by the applicant or subsequent owner at the City's request or termination of lease. No structural retaining walls or other improvement necessary for access to the residential structure are allowed in the lease area. These terms will also require the applicant to redesign some portions of the proposed building to remove balconies, canopies, and awnings. Planning Staff also notes that the applicant will need to continue to work with Traffic Engineering to provide detailed information on all access points for careful consideration and review. The applicant should expect alterations up to and including removing and relocating any access points deemed inappropriate by the Traffic Engineering Division.

Certified Survey Map

The applicant has submitted an associated Certified Survey Map to create a lot for the proposed residential building, which will be forwarded to the Common Council if the Plan Commission forwards the PD amendment to Council with a recommendation to approve.

Conclusion

The applicant is requesting approval to amend the PD-GDP-SIP at 740 Regent Street to permit the construction of a 12-story residential building with 341 dwelling units and 344 structured parking stalls on a lot to be created via a related CSM. Staff have identified some plan inconsistencies regarding the recommendations for “predominantly employment” land uses in the adopted plans. While staff believes that there is some flexibility in those recommendations that may allow the Commission to find that residential development is consistent with adopted plans, the introduction of residential uses for nearly 700 residents within an otherwise office-focused development may pose some challenges. The siting of the development away from the public street, as proposed, could establish an environment where the building’s primary public façade is oriented towards the adjacent multiuse path. Since the applicant’s first meetings with Staff, the design of the proposed building has expanded the activated first-floor spaces along the multiuse path and the applicant has attempted to open the interior bicycle parking to the northern plaza. However, the proposal still features a small portion of active and permeable ground-floor internal spaces, especially when compared to similar proposals. While these issues exist, and considering the favorable initial recommendation from the Urban Design Commission, the Planning Division believes that on balance, it is possible that the Plan Commission could find the standards for Zoning Map Amendments and Planned Developments met with this proposal.

Recommendation

Planning Division Recommendation (Contact Colin Punt, 243-0455)

The Planning Division recommends that if the Plan Commission can find the standards for Planned Developments met, that it forward Zoning Map Amendment IDs 28.022-00557 and 28.022-00558, rezoning 740 Regent Street from PD-GDP-SIP (Planned Development – General Development Plan – Specific Implementation Plan District) to

amended PD-GDP-SIP and the related Certified Survey Map to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

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

Land Use – Zoning Map Amendment

Planning Division (Contact Colin Punt, 243-0455)

1. Applicant will submit a management plan on the form provided by staff to be reviewed and approved by the Planning Division Director and Zoning Administrator, or their designees. Information shall include, but shall not be limited to: move in and move out, vehicle and moped parking management, parking management, snow management, building access, lighting and security cameras, property management contact, delivery and rideshare loading, and pet waste areas.
2. That, as included in the recommendation of the Urban Design Commission, prior to final sign-off and recording of the plans, the following details shall be provided (along with a complete plan set) for final UDC approval:
 - a) A corrected and revised landscape plan.
 - b) A revised northern façade showing the loss of balconies and any changes to the design.
 - c) Visuals of the light well/3D renderings to give a sense that experience.
3. That prior to final sign-off and recording of the plans, the details regarding the artwork proposed for the perforated metal screens on the bicycle parking structure shall be reviewed by the Urban Design Commission. This shall reviewed against the relevant PD standards and determine it meets the design objectives in MGO Subsections 28.098(1) and (2) and other requirements of Subchapter 28.098 (2). The applicant may appeal the Urban Design Commission’s recommendation to the Plan Commission, which may affirm, reverse, or modify the Urban Design Commission’s decision.

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

4. Submit a detail showing the model of bike rack to be installed. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.
5. 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.
6. Provide detail on building elevations showing compliance with Sec. 28.129 Bird-Safe Glass Requirements.
7. Designate electric vehicle parking stalls on the plan. Sec. 28.141(8)(e)2. requires at least 10% EV Ready Spaces and 2% EV Installed Spaces.
8. 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.

9. Work with Planning and Zoning staff to develop a revised zoning text. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the UMX district.

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

10. The sewer lateral for 700 Regent Street that is being rerouted around the proposed building will connect to the City sewer at structure S5. This structure (S5) will be a City owned manhole. Applicant shall submit a right of way permit for the installation of this manhole structure. City sewer main is an 8" diameter sewer according to City records and not 6" as shown on site utility plan.
11. Applicant shall restrict drainage of the rooftop pool to 75 gpm.
12. A developers agreement is required to relocate the storm sewer pipe currently running through the center of the site.
13. Enter into a City / Developer agreement for the required infrastructure improvement (relocation of existing storm sewer and dedication of a new easement). 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)
14. Construct sidewalk/path/terrace to a plan as approved by City Engineer
15. 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))
16. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
17. 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.
18. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
19. 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.

20. 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)
21. 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.
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
The Storm Water Management Plan & Report shall include compliance with the following:
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))
Rate Control: Reduce peak discharge by 15% compared to existing conditions during a 10 -year storm event.
TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.
Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.
Volume Control: Reduce proposed peak discharge by 5% compared to existing conditions during a 10 year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

23. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
24. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

25. The Owner shall grant a new Public Storm Sewer Easement of adequate width as determined by the City Engineer for the portion of the Public Storm Sewer to be relocated on the east side as part of this site development. The easement shall be drafted, administered and recorded by the City of Madison Office of Real Estate Services. The easement shall also contain consent to occupy language addressing the private improvements and private storm sewer improvements within or near the easement. Any of the private improvements disturbed or removed during the course of construction, maintenance, replacement or repair of the storm sewer by the City of Madison shall be the responsibility of the Owner. Contact Jeff Quamme of Engineering Mapping ([jqamme@cityofmadison.com](mailto:jrqamme@cityofmadison.com), 608-266-4097) to coordinate the Real Estate project, and associated information and fees required.
26. Upon approval of the movement of the public storm sewer within this site, a portion of the 20' Wide Public Storm Sewer Easement granted by the West Madison Depot Plat, Doc No 2136359 shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping ([jqamme@cityofmadison.com](mailto:jrqamme@cityofmadison.com), 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. The easement shall be recorded upon the removal/abandonment of the existing storm sewer facilities within the release area.
27. This site currently benefits from a parking lot lease over City lands per Doc No 5535449. This proposed residential development is part of a proposed land division creating a new development (Residential Building) parcel. Additionally, there are new private pedestrian - bike access improvements and landscaping (including hardscaping) proposed within the lease area. The existing lease is proposed to be split into two new lease agreements (one for the Residential Development and the other for the remainder of the current lease area). Any approved new leases shall be drafted by the Madison Office of Real Estate Services, approved by the Common Council and recorded prior to final sign off for any site plan including any new proposed improvements within the lease area. All private improvements and landscaping within the lease area shall be subject to approval by City of Madison Engineering. All improvements within the lease area shall be subject to removal by the owner (at the City's request or termination of lease) and the area shall be restored required per the terms of the lease. The city shall be held harmless for any damages resulting from loss of use of this area for access or any noncompliance with City Ordinances upon removal of the improvements. No structural retaining walls or other improvement necessary for access to the residential structure shall be allowed in the lease area. Private improvements constructed in the lease area shall not be items required by ordinance or integral to the building improvements and associated uses proposed.

28. The new sanitary sewer lateral for Proposed Lot 1 will cross lands to the east and additional easement area will be necessary on proposed Lot 3. Provide for review a comprehensive easements / agreement(s) for the private sanitary sewer lateral that is necessary to accomplish the site development as proposed. The document(s) shall be executed and recorded immediately subsequent to the pending CSM recording and prior to building permit issuance.

29. Provide for review an amendment or replacement of the Reciprocal Easement and Operating Agreement per Doc No. 5511406 to address the changes to the comprehensive reciprocal easements and agreements including, but not limited to, access, fire access, parking, utilities, common areas and storm management that are necessary to accomplish the site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

30. The Driveway Easement per Doc No 2483300 shall be partially released / amended. Provide the recorded document prior to final site plan sign off.

31. The overall access easement per Document No. 2629991 shall be acknowledged and part of any reciprocal access easement amendment necessary for this proposed development.

32. Amendments/Releases of any MG&E or other Utility Easements may be necessary to construct the project as proposed. Developer shall be responsible to coordinate with the respective Utility Companies.

33. The address of the proposed building is 750 Regent St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

34. 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 including early start permits.

35. The apartment numbers shown on the floor plans are not approved for use. They do not conform to current apartment addressing standards. 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 verification submittal stage of this LNDUSE application. The approved Addressing Plan shall be included in said final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. Any revisions to the Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

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

36. 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.

37. 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.
38. 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.
39. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
40. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
41. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
42. 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.
43. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
44. 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.
45. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

46. The applicant shall remove all reference to private interest amenities in the public Right-of-Way as they are not approvable through the Site Plan Review process. The applicant shall be allowed to add an additional page clearly marked 'for informational purposes only, not for construction, if approved the final configuration may be altered from what is shown.' If the applicant would like to pursue installation of amenities in the public Right-of-Way they shall apply for an encroachment agreement through City Real Estate which shall be routed for approval to all required agencies.
47. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
48. 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.
49. 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 Southwest Commuter Path 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.
50. Note: The applicant has submitted the requested Traffic Impact Analysis and Traffic Demand Management Plan; the studies have been reviewed and accepted by Traffic Engineering.
51. The applicant shall not regrade the City owned leased area. The intended use for the City owned parcel is to accommodate Future Transportation Corridor Use, regrading of the parcel will limit future public use of the parcel.
52. The Southwest Commuter Path is a major multi-modal transportation corridor for the City of Madison. As such the applicant shall work with Traffic Engineering to provide detailed information on all access points for careful consideration and review. The applicant can expect alterations up to and including removing and relocating any existing access deemed inappropriate.
53. Prior to final sign off the applicant shall add the following note on the face of the plan: The access to the westernmost driveway on Regent Street shall be altered, final geometry to be determined by the City Traffic Engineer, with the introduction of Mariposa Lane on the south side of Regent Street. At this time, the preferred design will eliminate the Left Out movement onto eastbound Regent Street but preserve the Left In access from Eastbound Regent Street.

Parks Division (Contact Ann Freiwald, 243-2848)

54. 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# 22001 when contacting Parks about this project.

Fire Department (Contact William Sullivan, 886-4691)

55. Stair 2 shall discharge directly to the exterior. Currently it is shown going through the "Staging" area before reaching the exterior.

- 56. Stair 1 shall have an obvious, clear and unobstructed path to the exterior. Occupants shall not be required to navigate through the furniture as shown on some of the drawings before reaching the exterior door.
- 57. Fire service elevators along with elevator lobbies will be required if the highest floor level exceeds 120-ft above the lowest fire apparatus access lanes which may be lower than the first floor elevation.
- 58. Fire access to the adjacent existing buildings shall be maintained.

Water Utility (Contact Jeff Belshaw, 261-9835)

59. The proposed hydrant and lead within the property will be considered private.

60. Update site utility plan to indicate how the proposed building will be provided water service.

61. A Modify Mains/Services Application Form and deposit must be submitted before modifying the public 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 applications. 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.

62. An 6 inch hydrant lead valve will need to be added to the utility plan East of the proposed 8X8X6 Tee. The proposed hydrant off of Regent St. will be required to have an 6 inch hydrant valve.

The Forestry Section and Metro Transit have reviewed this request and have recommended no conditions of approval.

Certified Survey Map

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

- 1. Based on 1942 Sanborn maps, this property contained a former railroad yard and adjacent redevelopments (e.g. Hilton Garden Inn) were contaminated by PAHs and heavy metals. Submit proof of coordination with the WDNR to construct on a historic fill site and manage soil contamination generated during construction (Issac Ross, Issac.Ross@wisconsin.gov, 414.750.7140).
- 2. The sewer lateral for 700 Regent Street (Proposed Lot 1) that is being rerouted around the proposed building on Lot 3 will require a private sanitary sewer easement on across Lot#3 to allow for maintenance of the lateral serving proposed lot #1. Applicant shall provide evidence of a recorded private sanitary sewer easement as a condition for CSM approval.

3. An interlot drainage agreement shall be recorded, as all lots in this CSM share a drainage system. This drainage agreement shall be reviewed and approved by the City Engineer prior to approval of any building permits for sites on any of the lots created by this document. A note shall be added to the face of the CSM noting this requirement.
4. 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)
5. Construct sidewalk/path/terrace to a plan as approved by City Engineer
6. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

7. The location of the Common Drive access between the two Lots is being physically modified by the proposed development and appears necessary to only serve the common access to remain between proposed Lot 1 and Lot 2. Provide the draft amendment to the Driveway Easement per Doc No. 2540854 as necessary. The final document shall be recorded immediately after the pending CSM. Place a note on the CSM as part of the existing easement label that the easement shall be amended by a separately recorded instrument to be recorded subsequent to recording this Certified Survey Map.
8. The new sanitary sewer lateral for Proposed Lot 1 will cross lands to the east and additional easement area will be necessary on proposed Lot 3. Provide for review a comprehensive easements / agreement(s) for the private sanitary sewer lateral that is necessary to accomplish the site development/CSM as proposed. The document(s) shall be executed and recorded immediately subsequent to the pending CSM recording and prior to building permit issuance.
9. Add a note that "this CSM is subject to a Reciprocal Easement and Operating Agreement per Doc No 5511406 and corrected by Doc No 5513517, to be amended by a separately recorded instrument." Provide for review an amendment to the agreement addressing but not limited to, access, fire access, parking, utilities, common areas and storm management that are necessary to accomplish the site development as proposed prior to final sign off. The document shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
10. Add text to the note for the 20' wide Public Storm Sewer Easement per West Madison Depot plat: "A portion of this easement to be released by separately recorded instrument as part of future development within Lot 3".
11. Lands within this CSM benefit from a parking lot lease over City lands per Doc No 5535449 (former lease Doc No 4347972 having been terminated by 5535449) along the northerly side of proposed Lot 3. The lease area

shall be shown and noted on the CSM. An amendment to the lease, administered by the Madison Office of Real Estate Services (Proj No 7997), shall be drafted and recorded to allow the proposed new development within the lease area. The new lease shall be recorded after the recording of this CSM and before the final site plan approval.

12. Label the portion of the area of the Joint Driveway Easement area per Doc 2540854 lying within CSM 15202 (the western 1/2) is also subject to a Joint Driveway Easement benefitting this CSM per Document No 2540855
13. Add text to the Common Driveway and Sidewalk Easement per CSM 6147 on the east side of this CSM that the easement is also subject to a Declaration of Driveway and Sidewalk Easement per Document No. 2209398.
14. Clearly show the MG&E Easement per Doc 2254764 ends at the west line of Lot 1 along Regent Street.
15. Correctly denote the location of the Utility Easement per Doc 2540856 is only along the south side of Lot 2.
16. Add a note that this lands within this CSM are subject to a driveway and access easement agreement per Document No 2629991. The easement is blanket in nature on access drives.
17. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
18. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
19. All easement text labels shall include the benefitted entity of the easement. Easements shall also be dimensioned to allow retracement of the location of the easements inside of this CSM.
20. Place a note on the CSM for the drainage arrows. The lands within this Certified Survey map are subject to the drainage arrows as shown hereon. Drainage arrows indicated the direction of drainage during grading. Drainage patterns shall be maintained by the lot owner unless modified with the approval of the City Engineer.
21. Ties to the property lines to the buildings shall be provided as required by Ordinance on sheet 3.
22. 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.
23. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:

- a) Right-of-Way lines (public and private)
- b) Lot lines
- c) Lot numbers
- d) Lot/Plat dimensions
- e) Street names
- f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Fire Department (Contact William Sullivan, 886-4691)

24. Include easements for fire access lanes as necessary across adjoining properties.

Water Utility (Contact Jeff Belshaw, 261-9835)

25. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Office of Real Estate Services (Contact Andy Miller, 261-9983)

26. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), the Owner’s Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
27. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s). If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.
28. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest please include a Certificate of Consent for the option holder, to be executed prior to CSM sign-off.
29. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
30. Register of Deeds Certificate: Below the signature line should read “Kristi Chlebowski, Register of Deeds”.

31. As of February 25, 2022 the 2021 real estate taxes are not paid for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
32. As of February 25, 2022, there are special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
33. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report, dated January 5, 2022, submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
34. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
35. Depict and dimension all existing improvements including, but not limited to: buildings, drives, parking lots, encroachments, etc. located within the CSM boundary.
36. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.