



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King, Jr. Blvd
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
www.cityofmadison.com

March 31, 2022

Chris Sachse
BKV Group
209 S LaSalle, Ste 920
Chicago, IL 60604

RE: Legistar #69965; Accela 'LNDUSE-2022-00010' -- Approval of a Planned Development-General Development Plan-Specific Implementation Plan zoning map amendment at 700-740 Regent Street

Dear Chris Sachse:

At its March 29 meeting, the Common Council, meeting in regular session, found the standards met and approved your request to amend a PD-GDP-SIP district to permit the construction of a 12-story residential building with 341 dwelling units and 344 structured parking stalls and a lot created via a related CSM at **700-740 Regent Street**. In order to receive final approval of the conditional use and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact my office at (608) 243-0455 if you have any questions regarding the following six (6) items, including items 4-6, which were added by the Plan Commission:

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 be 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.

4. That the applicant widen the bicycle access ramp and stairs, decrease the slope of the ramp, create a second ramp to the bicycle parking, or a combination of all three; and provide an exhibit indicating access points and paths to and from bicycle parking areas and entrances/exits, with details to be reviewed and approved by staff.
5. That the developer provide a cross section of the multi-use path and the first five feet of the adjacent city-owned property for review and approval by the City Traffic Engineer.
6. That the applicant submit a traffic control exhibit demonstrating measures to prohibit vehicular access of the multi-use path from the site for review and approval by the City Traffic Engineer.

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following six (6) items:

7. 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.
8. 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.
9. Provide detail on building elevations showing compliance with Sec. 28.129 Bird-Safe Glass Requirements.
10. 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.
11. 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.
12. 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.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following fifteen (15) items:

13. 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.
14. Applicant shall restrict drainage of the rooftop pool to 75 gpm.
15. A developers agreement is required to relocate the storm sewer pipe currently running through the center of the site.

16. 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)
17. Construct sidewalk/path/terrace to a plan as approved by City Engineer
18. 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))
19. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
20. 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.
21. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
22. 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.
23. 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)
24. 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.

25. 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.

26. 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.

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

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

28. 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 (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required.

29. 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 (jrquamme@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.
30. 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.
31. 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.
32. 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.

33. The Driveway Easement per Doc No 2483300 shall be partially released / amended. Provide the recorded document prior to final site plan sign off.
34. The overall access easement per Document No. 2629991 shall be acknowledged and part of any reciprocal access easement amendment necessary for this proposed development.
35. 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.
36. 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.
37. 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.
38. 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.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following eighteen (18) items:

39. 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.
40. 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.

41. 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.
42. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
43. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
44. 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.
45. 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.
46. 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.
47. 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.
48. 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.
49. 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.
50. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
51. 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.

52. 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.
53. 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.
54. 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.
55. 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.
56. 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.

Please contact Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following one (1) item:

57. 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.

Please contact Bill Sullivan of the Fire Department at (608) 866-4691 if you have any questions regarding the following three (3) items:

58. Stair 2 shall discharge directly to the exterior. Currently it is shown going through the "Staging" area before reaching the exterior.
59. 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.
60. 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.

61. Fire access to the adjacent existing buildings shall be maintained.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following four (4) items:

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

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

64. 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.

65. 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.

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

Please now follow the procedures listed below for obtaining your final approval:

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 check for the **site plan review** fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.) 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. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
3. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for 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 City Plan Commission and the planned development district and zoning map amendment approval standards.

If you have any questions regarding obtaining your final approval or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,



Colin Punt
 Planner

- cc: Jacob Moskowitz, Asst. Zoning Administrator
 Tim Troester, City Engineering Division
 Jeff Quamme, City Engineering Division – Mapping
 Sean Malloy, Traffic Engineering Division
 Ann Freiwald, Parks Division
 Bill Sullivan, Fire Department
 Jeff Belshaw, Water Utility

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>
--

LNDUSE-2022-00010			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<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 type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other: Forestry