



**Project Address:** 609-615 East Dayton Street & 616 East Mifflin Street (6<sup>th</sup> Aldermanic District – Alder Benford)

**Application Type:** Demolition Permit, Conditional Use, Certified Survey Map Referral

**Legistar File ID #** [70922](#), [70923](#), [70958](#)

**Prepared By:** Colin Punt, Planning Division  
Report includes comments from other City agencies, as noted.

**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Michael Metzger; McGrath Property Group LLC; 730 Williamson St #150; Madison, WI 53705

**Owner:** Dayton Mifflin LLC; 730 Williamson St #150; Madison, WI 53705

**Requested Action:** Consideration of a demolition permit to demolish a warehouse building. Consideration of conditional uses for a hotel and restaurant-tavern in the TE district (\$28.084(2) MGO). Consideration of a CSM to combine two parcels.

**Proposal Summary:** The applicant is seeking approval to demolish a warehousing building and construct a three-story hotel with cafe.

**Applicable Regulations & Standards:** Section 28.185 M.G.O. provides the process for demolition and removal permits. Section 28.183 M.G.O. provides the process and standards for the approval of conditional uses. Section 16.23 MGO provides the process for demolition and removal permits.

**Review Required By:** Plan Commission, and Common Council (CSM only)

**Summary Recommendations:** If the Plan Commission can find the applicable standards for demolitions, including standards 4 and 7 are met, the Planning Division recommends that the Plan Commission find the standards met and approve the demolition permit for 609-615 East Dayton Street. If the demolition is approved, then the Planning Division believes that the Conditional Use standards can be found to be met to construct a three-story hotel with café at 609-615 East Dayton Street and 616 East Mifflin Street subject to input at the public hearing and the conditions from reviewing agencies in this report. If the other related requests are approved, the Planning Division also recommends that the Plan Commission forward the associated Certified Survey Map to Common Council with a recommendation to approve. Should the Plan Commission find the demolition standards are not met, the Commission should place all items on file without prejudice. Staff notes that the Commission must provide findings of fact, listing the standards that have not been met and the reasons such standards were not met.

## Background Information

**Parcel Location:** The subject site is 22,572 square feet (0.52 acres) and is a through-lot between East Dayton Street and East Mifflin Street approximately 150 feet northeast of North Blair Street. It is within Aldermanic District 6 (Alder Benford) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** 609-617 East Dayton Street is a 9,464 square foot parcel zoned TE with a 6,381-square foot one-story warehouse built in 1929, with additions in 1950 and 1956. 616 E Mifflin Street is a 13,108

square foot parcel zoned TE developed with a two-and-one-half-story two-unit residence built in 1910, a 1,296-square foot warehouse building constructed in 1950, and a 250-square foot shed.

**Surrounding Land Uses and Zoning:**

Northwest: Across East Dayton Street, a three-story residential building with approximately 24 units and a six-building residential building complex, both zoned PD (Planned Development district);

Northeast: A three-building residential building complex with approximately 23 units zoned PD.

Southeast: Across East Mifflin Street, a three-story residential building with approximately 100 units zoned PD; and

Southwest: One- and two-unit residential buildings zone TR-V1 (Traditional Residential Varied-1 district).

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) identifies the subject as Low Medium Residential (LMR). The [Tenney-Lapham Neighborhood Plan](#) (2008) recommends "medium density residential 2" at 26 to 40 units per acre and a height limit of 3-stories.

**Zoning Summary:** The subject property is zoned TE (Traditional Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000	52,707
Lot Width	50 ft	102 ft
Dayton St Yard Setback	None	4 ft
Side Yard Setback	5 ft	5 ft, 11.5 ft
Mifflin St Yard Setback	None	58.5 ft
Maximum Lot Coverage	85%	77%
Minimum Building Height	22 ft	30.5 ft
Maximum Building Height	5 stories/68 ft	3 stories/ 30.5 ft

Site Design	Required	Proposed
Number Parking Stalls	45 minimum, 89 maximum	25 (4.)
Accessible Stalls	2	2
Loading	Yes	Yes
Number Bike Parking Stalls	8	6 (5.)
Landscaping	Yes	Yes (6.)
Lighting	No	Yes
Building Forms	Yes	Flex Building

<b>Other Critical Zoning Items</b>	Utility Easements
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*Table prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor.

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

## Project Description

The applicant is seeking demolition permits to demolish a warehouse building and conditional use approval to construct a three-story, 55-room hotel. [Photos](#) provided by the applicant show the condition of the nearly century-old warehouse that fronts on East Dayton Street. The proposal retains the residence (the Reynolds Homestead) on East Mifflin Street and incorporates that structure into the hotel. The proposed 48,950-square foot hotel includes a first-floor 1,450-square foot café on Dayton Street at the south-western corner of the façade. The lower two stories of the front facade are proposed to be clad in a red-orange brick veneer. A 6-inch painted gray siding is proposed for the upper floor of the front facade, as well as being the predominant facade material for the sides and rear of the building. The letter of intent notes that limestone pieces and salvaged brick from the warehouse's Dayton Street facade will be integrated into portions of the design of the hotel and cafe. Additional exterior materials include a black metal canopy and lintels, formed and precast concrete, and fiberglass windows. The plans show HVAC units on the rooftop and the letter of intent indicates rooms will be served by a mini-split system.

The proposal includes one level of underground parking with 25 vehicle parking stalls, accessed via a garage door at the northeast corner of the front facade. The applicant has indicated in the letter of intent that they intend to seek a station of at least four B-Cycle docks and an electric shared car service.

A bio-retention basin is shown at the rear (Mifflin Street) side of the site, next to a small outdoor space with landscaping near the Reynolds house. The shallow sideyards of the property will be landscaped with no-mow grass seeding and stone mulch, with some additional low-level plantings at the front and back of the site.

While the hotel will operate 24 hours per day, 365 days per year, the cafe hours of operation have not yet been determined.

The applicant is also seeking approval of Certified Survey Map combine the two existing parcels into a single parcel to enable construction of the proposed building.

If approved, the applicant intends to begin demolition in July 2022, with construction completion in August 2023.

## Analysis & Conclusion

This request is subject to the standards for demolition permits, conditional uses, and land divisions. This section begins with adopted plan recommendations, then provides an analysis the demolition standards, an analysis of conditional use standards, and finishes with a review of the subdivision standards for the accompanying CSM.

### Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) identifies the subject as Low Medium Residential (LMR). The LMR category may include small-lot single-family residences, two- and three-unit buildings, rowhouses, and small multifamily buildings. Development in LMR areas has a general density range of 7 to 30 dwelling units per acre and building heights of one to three stories. The [Tenney-Lapham Neighborhood Plan](#) (2008) recommends "medium density residential 2" at 26 to 40 units per acre. Within the neighborhood plan, medium density residential 2 includes single-unit detached houses, two and three flats, rowhouses, and apartment buildings (with no upper limit to the number of units in rowhouses and apartment buildings) as acceptable housing types. The Plan's design standards state that future infill projects within the 600 block between Dayton and Mifflin Streets must be consistent with the established architectural context, which includes a height limit of 3-stories.

Planning staff believes that the scale of the proposal is consistent with the recommendations for height. However, hotel uses are not generally included in the list of recommended uses within planned Low-Medium-Residential areas. In this case, the property is already zoned Traditional Employment, which includes several permitted and conditional uses that beyond those typically recommended in residential areas. As noted under the conditional use section, the Plan Commission must give due consideration to the recommendations of adopted plans.

### **Demolition Permit Standards**

In order to approve a demolition request, the Plan Commission must consider the factors and information specified in §28.185(9)(c) MGO and find that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. At its March 7, 2022 meeting, the Landmarks Commission found that the building at 609-617 East Dayton Street has historic value based on architectural significance, its high degree of integrity, and its relation to the history of a local company that is still in operation.

Based on the findings of the Landmarks Commission, Staff believe careful consideration should be given to Standards #4 and #7. Standard #4 states, *“The Plan Commission has received and considered the report of the City’s historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.”* Standard #7 states that *“The Plan Commission shall consider the factors and information specified in items 1—6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison. In regards to the statement of purpose, that section states, in part, “The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances...”* Considering the references to Plan Consistency and the historic value noted in the report of the Landmarks Commission, Planning staff raise questions as to whether these standards could ultimately be found met regarding the structure at 609-617 East Dayton Street.

### **Conditional Use Standards**

The applicant is requesting approval of a conditional use for a hotel in the TE district (§28.084(2) MGO). In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) M.G.O. are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

Conditional Use standard of approval 4 requires that “the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.” Related to this standard is the issue of plan consistency. As noted above, both applicable plans recommend residential development of approximately three stories. Given the scale of the proposal and its current TE zoning, staff does not believe that the approval of this conditional use will prevent the future development of the surrounding sites with development recommended in adopted plans or for uses permitted in their respective zoning districts. As such, staff believes standard 4 can be found met.

Staff notes that approval standard 9 states, in part, that “the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area

and the statement of purpose for the zoning district.” In regards to the massing and scale, the Planning Division believes that with modifications, it would be possible for the proposed building to meet this standard. Of specific note is the design and composition of the front façade on East Dayton Street. The applicant has noted that the front facade was design to evoke an industrial design similar to that of the existing warehouse building. The asymmetrical area above the garage entrance features a small window and a decorative brickwork pattern. Through discussions with the applicant, the applicant has indicated the ability to widen the window to match the width of the other larger second-floor windows. Additionally, the long side facades with horizontal siding present unmodulated length extent of siding. Discussions with the applicant have resulted in the potential modification of the hotel room windows to be enlarged and reorganized to add a more pronounced rhythm and implied articulation to the long side facades. Further, staff notes the thru-lot condition of the site with the proposed CSM, and the site is already occupied by a building masses that extend deep into the middle of the block. The adjacent property also includes a building located at the middle of the property. When considering the existing conditions and with the recommended changes to the front and side elevations of the proposed buildings, Staff believe approval standard 9 could be found met.

Staff believes all other conditional use approval standards can be found met or are not applicable to this proposal.

### **Subdivision Standards**

With the recommended agency conditions, staff believes that the Plan Commission may find the standards for subdivision approval met with the proposed certified survey map (CSM). The proposed lot will meet the minimum lot width and area requirements in the TE district, and staff believes that the proposal is consistent with the recommendations for the site in the Comprehensive Plan, and Tenney-Lapham Neighborhood Plan.

### **Conclusion**

Considering the Landmarks Commission’s recommendation, staff’s primary questions on this request are with Demolition standards 4 and 7, which relate to historic value considerations. In regards to the conditional use approval standards, on balance, staff believes it is possible to find these can be met considering these met, with the recommended conditions to address various factors described in this report. Finally, staff believes the standards for certified survey maps have been met, though both of these latter requests are tied to the proposed demolition and could not be approved should the demolition not be granted.

At time of report writing, staff has received public comment from several parties regarding this request, which have been attached to the legislative file.

## **Recommendation**

### **Planning Division Recommendations** (Contact Colin Punt 243-0455)

If the Plan Commission can find the applicable standards for demolitions, including standards 4 and 7 are met, the Planning Division recommends that the Plan Commission find the standards met and approve the demolition permit for 609-615 East Dayton Street. If the demolition is approved, then the Planning Division believes that the Conditional Use standards can be found to be met to construct a three-story hotel with café at 609-615 East Dayton Street and 616 East Mifflin Street subject to input at the public hearing and the conditions from reviewing agencies in this report. If the other related requests are approved, the Planning Division also recommends that the Plan Commission forward the associated Certified Survey Map to Common Council with a recommendation to approve. Should the Plan Commission find the demolition standards are not met, the Commission should place all

items on file without prejudice. Staff notes that the Commission must provide findings of fact, listing the standards that have not been met and the reasons such standards were not met.

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

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

1. That the applicant make the second-floor window above the vehicle garage door wider to match the width of the nearest second-floor window.
2. That the applicant enlarge and re-organize the hotel room windows on the side elevations to create an implied articulation rhythm.

**Zoning Administrator** (Contact Jacob Moskowitz, 266-4560)

3. 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 (608-266-4682).
4. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
5. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
6. A vehicle parking reduction will be required per Section 28.141(5). Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required amount, type and number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.
7. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 8 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious 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. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
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 a detail showing compliance with Sec. 28.129 Bird-Safe Glass Requirements.
10. EV parking is discussed in the parking count, but is not shown on the parking area plan. Label the stalls that are EV ready/installed.

**City Engineering Division** (Contact Brenda Stanley, 261-9127)

11. 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)
12. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer
13. 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))
14. 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))
15. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
16. 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.
17. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
18. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
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 the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
21. The area adjacent to this development is subject to backwater flooding from Lake Monona. Minimum entrance elevations for ramps to underground parking and to entrances shall be set at elevation 852.00. Structure exposed below this elevation shall be constructed of water resistant materials such as concrete or brick.
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))

Rate Control: Reduce the peak post development discharge rate during the 10-year storm event by 15% compared to existing conditions.

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

Volume Control: Provide onsite volumetric control reducing the post construction volumetric discharge by 5% compared to existing conditions during the 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.

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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**City Engineering Division – Mapping Section** (Contact Julius Smith, 264-9276)

27. The proposed parcels within this development and adjacent to are dependent on each other for overland storm water drainage. A private Storm Drainage Easement/Agreement over the existing concrete flume located along the southwesterly parcel line will be required with the forthcoming Certified Survey Map .
28. The Owner / Developer / Contractor are collectively responsible to obtain the necessary rights / easement / permission for any disturbance of adjacent lands in conjunction with the construction of the new building and foundation for this project prior to any construction activities, or provide proof that construction will not impact the adjacent lands.
29. The proposed new building crosses an underlying platted lot line. Proceed with forthcoming Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building or early start permit.
30. On Sheet A101 it appears to indicate some sort of signage or raised lettering attached to the raised wall possibly encroaching into the E Dayton Street right-of-way. On Sheet A102 it appears to indicate a fixed canopy/awning projecting towards the same right-of-way. The Applicant shall show the limits of this signage and canopy on/in a plan view on the site plan and 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.
31. The address of the proposed hotel is 611 E Dayton 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.
32. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior hotel room addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved Addressing Plan shall be included in said application. Per Fire Code Ordinance 34.505(b), a copy of the addressing plan must be at the building site and shall be open to inspection by the City. 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. For any changes or updates, the approved Addressing Plan shall be submitted by the applicant to Zoning and distributed to all appropriate contractors and/or owners.

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

33. 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.

34. 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.
35. 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.
36. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
37. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
38. 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.
39. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
40. The applicant shall 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.
41. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
42. 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.
43. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All

directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

44. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
45. Items in the Right-of-Way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the ROW that states: The Right-of-Way is the sole jurisdiction of the City of Madison and is subject to change at anytime per the recommendation/plan of Traffic Engineering and City Engineering Departments.
46. Note: The applicant has submitted the requested Traffic Demand Management Plan; the study has been reviewed and accepted by Traffic Engineering..

**Fire Department** (Contact Bill Sullivan, 866-4691)

47. Provide a fire rated wall between the existing house and the proposed hotel and protect openings in accordance with the IBC or consider the proposed hotel as an addition to the existing house. Refer to IBC 705.

48. Due to the existing site constraints and the choice to exceed 30-ft in building height, additional fire safety measures above and beyond the building code minimums will be necessary or the building height would need to be reduced below 30-ft.

**Forestry Division** (Contact Brad Hoffman, 267-4908)

49. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. 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.
50. 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 street tree plan set.
51. 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 (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
52. 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 at (608) 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 site, grading, utility, demolition and street tree plan sets.

53. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) 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 both the site and street tree plan sets.
54. 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 both the site and street tree plan sets.
55. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
56. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
57. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.

**Water Utility** (Contact Jeff Belshaw, 261-9835)

58. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. 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.

*The Parks Division and Metro Transit have reviewed this request and has recommended no conditions of approval.*