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November 30, 2023

Brian Munson
Vandewalle & Associates
120 E Lakeside Street
Madison, Wisconsin 53715

RE:

- 79966 - 407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street; District 4: Consideration of a demolition permit to demolition of 13 residential buildings for a proposed residential redevelopment.
- 80423 - Authorizing the inclusion of a Land Use Restriction Agreement as an exhibit to the Purchase and Sale Agreement between Core Spaces, LLC ("Purchaser") and the City of Madison for the Purchaser's acquisition of the property located at 405 W. Gorham Street (District 4)
- 80308 - Amending the map in Section 28.071(2)(a) related to downtown height limits of the Madison General Ordinances to update the Downtown Height Map in the North Broom Street area. (District 4)
- 80329 - Creating Section 28.022-00646 of the Madison General Ordinances to change the zoning of property located at 405-407 & 311 West Gorham Street, 408-430 West Johnson Street, 304-318 North Broom Street, 4th Alder District, from PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) District to UMX (Urban Mixed-Use) District. (District 4)
- 79967 - 405-407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (District 4): Consideration of a conditional use in the [Proposed] Urban Mixed-Use (UMX) District for a multi-family dwelling with greater than eight (8) dwelling units; consideration of a conditional use in the UMX District for a new building greater than 20,000 square feet and more than four stories; and consideration of a conditional use in the UMX District for outdoor recreation, all to allow construction of an eight- to fifteen-story apartment building with approximately 465 units.

Dear Brian Munson:

On November 21, 2023, the Common Council, meeting in regular session, **approved** the requested zoning map amendment (City legislative ID 80329) at 405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street, which proposed to rezone the properties from the PD (Planned Development), CN (Conservancy), and UMX (Urban Mixed-Use) Districts to the UMX (Urban Mixed-Use) District.

Also at the November 21, 2023 meeting, the Common Council also **approved** the authorization of the associated Land Use Restriction Agreement regarding the applicant's acquisition of the property located at 405 W. Gorham Street (City legislative ID 80423) and the amendment to the Downtown Height Map in the North Broom Street area (City legislative ID 80308).

On November 13, 2023, the Plan Commission found the standards met and **approved** your client's demolition permit request for 407 and 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (City legislative ID 79966) and conditional use requests for 405-407 & 431 W Gorham Street, 408-430 W Johnson Street, and 304-318 N Broom Street (City legislative ID 79967).

Prior to issuance of demolition or building permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Jessica Vaughn, Secretary of the Urban Design Commission, at (608) 267-8740 if you have questions regarding the following item:

1. Before any permits, including demolition permits, are issued for this project, the plans shall receive final approval from the Urban Design Commission, addressing the following consideration:

    a) That a connection to the street be incorporated along the W Johnson Street frontage.

The following conditions have been submitted by reviewing agencies:

Please contact Timothy Troester of the City Engineering Division–Main Office at (608) 267-1995 if you have questions regarding the following sixteen (16) items:

2. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

3. Applicant shall provide projected wastewater flow calculations for the proposed development. Offsite sanitary sewer improvements may be required by the developer through a developer agreement as a condition for plan approval. Applicant shall provide project wastewater flow calculation to Mark Moder at mmoder@cityofmadison.com.

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, terrace, curb and gutter and pavement along Broom/Johnson/Gorham to a plan as approved by City Engineer

6. 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)

7. Provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)

8. 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))

9. 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.

10. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.

11. 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.

12. 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)

13. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)

14. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.

15. This project will disturb 20,000 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.

16. 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 Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

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

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

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

Please contact Julius Smith of the City Engineering Division–Mapping Section at (608) 264-9276 if you have questions regarding the following ten (10) items:

18. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of this Certified Survey Map to be approved by Engineering and Traffic Engineering

19. Any portion(s) of a public easement that is intended to be released shall be released by separate document prepared by City Office of Real Estate Services. Contact Jule Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the plat, acknowledgement of the release and document number shall be noted on the face of the plat. A release for the existing Public Easement for a Fire Hydrant appears to be required for proposed improvements. Assuming approval from the other appropriate agencies, Fire, Engineering and Water Department. Provide the fee, exhibit and legal description for the release of the easement.

20. Work with City Real Estate on the purchase of 405 W Gorham Street - ORES 12863.

21. The floor plans submitted do not show the updated layouts per the revised letter of intent. The original LOI indicates 453 units. The revised LOI increased it to 465 units.

22. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.

23. Owner/Developer/Contractor are responsible for any rights that may be present for providing both communication and electrical utilities across the proposed development's parcel onto the adjacent 409 Gorham street parcel. There is an existing Utility Vault that is proposed to be removed and replaced. The proposed vault appears to serve both the developments parcel and the adjacent parcel. Owner/Developer/Contractor shall coordinate any required work to maintain existing connections and any required or necessary agreements/easements/rights to move and reestablish new connections with the adjacent parcel.

24. Multiple on-site easements will conflict with the proposed building. these will need to be released and recorded prior to permits for construction.

    Underground electric easement Doc 2238592.

    7 Joint Driveway Doc 398414 & 444810

    Ingress Egress Doc 2195181

    3' Wide Ingress Egress Doc 2195181

    8' Wide Easement Doc 481801 and 2195179

    24' Wide Easement Doc 2195180.

25. Update all sheets to show the official full street names. W Gorham Street, N Broom Street & W Johnson Street.

26. 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.

27. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment building that shows the number of units per floor.

    The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning.

    The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

    Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

    For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following twenty-two (22) items:

28. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.

29. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Gorham Street.

30. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Johnson Street.

31. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a six (6)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along N. Broom Street.

32. Due to the increased intensity of pedestrian activity at N. Broom Street and W. Gorham Street resulting from the increased density of this development, City Traffic Engineering intends to study the feasibility of making alterations to the existing left turn lane from N. Broom Street onto W. Gorham Street. Pending the results of the study, the applicant shall work with Traffic Engineering and Engineering Divisions on improving the existing pedestrian crossing of W. Gorham Street adjacent their proposed project. Improvements may include but are not limited to: signing and marking improvements, lighting improvements, constructing a raised crossing, reducing the width of the crossing and/or removal of the left turn lane from N. Broom Street to W. Gorham Street.

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. 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.

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. 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.

41. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

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. The applicant shall provide a clearly defined 5' walkway 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. "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.

45. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.

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

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 W. Johnson Street, W. Gorham Street, and N. Broom Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

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

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

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560) if you have any questions regarding the following five (5) items:

51. The calculations and comments below are based on the unit count and bedroom mix described in the letter of intent (465 units). However, the submitted plans show 453 units. Clarify on final plans the unit mix and submit revised floor plans.

52. Label the EV ready stalls, or clarify on the plans that all stalls are EV ready.

53. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 702 resident bicycle parking spaces are required plus 47 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. A minimum of 2 short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.

54. 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.

55. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

Please contact William Sullivan of the Fire Department at (608) 886-4691 if you have any questions regarding the following two (2) items:

56. MFD has safety concerns with the location of the primary entrance along the left hand turning lane from Broom Street onto Gorham Street. We anticipate vehicles stopped for emergency services, deliveries and/or pick-ups will result a greater risk of traffic collisions.

57. The complexity of the proposed building will result in multiple fire protection features such as but not limited to FDCs, FAAP, & key boxes. Additional conversations regarding fire & life safety systems will be required prior to construction.

Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following item:

58. 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# 23036 when contacting Parks about this project.

Please contact Brad Hofmann of the Forestry Division at (608) 267-4908 if you have any questions regarding the following eleven (11) items:

59. 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.

60. 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.

61. City Forestry will issue a street tree removal permit for two trees: 16" Elm for driveway apron & 19" Elm for construction conflicts along W Johnson Street. The Contractor shall contact City Forestry at (608) 266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

62. 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.

63. 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.

64. 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.

65. 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.

66. 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.

67. 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.

68. 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.

69. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: https://www.cityofmadison.com/business/pw/specs.cfm) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Please contact Jeff Belshaw of the Madison Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

70. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. 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.

71. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (http://www.cityofmadison.com/water/plumbers-contractors), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

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

72. The City of Madison will designate a vehicle travel lane on the south side of West Johnson Street as a fixed guideway facility for transit operations with the Federal Transit Administration. This official designation, and the associated restrictions against general traffic usage, allows the City of Madison to receive annual Federal funding that goes towards the operation and maintenance of these lane facilities for transit operations.

73. Any operational impacts to the designated transit travel lane along West Johnson Street, that may be approved by City Traffic Engineering to facilitate construction of this project, may require that the applicant post a deposit or otherwise reimburse Metro Transit and the City of Madison for the potential loss of Federal funding - for any period of time where scheduled transit trips might be operationally impacted from having exclusive access to this fixed guideway facility.

74. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access adjacent this property.

75. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 366 Weekday & 165 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Contact my office at cwells@cityofmadison.com if you have questions regarding the following item:

76. That in order for the development to meet Conditional Use Standard 9 in Section 28.183(6) of the Zoning Code, the Plan Commission finds, based on the recommendations and comments of the Urban Design Commission on November 1, 2023, that the following modifications and additional information are necessary as specified under condition 2, below. Prior to final sign-off and the issuance of building permits, a complete plan set with the following modifications and supplemental information shall be presented to the Urban Design Commission for their final review. The Urban Design Commission shall confirm that the modifications satisfy the intent of their initial recommendation and meet the applicable approval standards of Section 28.183(6)(9) and 28.076. The Urban Design Commission final review shall be limited to these specified items and any modifications to the previously reviewed plans falling under Urban Design Commission's purview.

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

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

1. 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 **SPRApplications@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 SPRApplications@cityofmadison.com regarding questions or if you need alternative filing options. The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. **The site plan review fee pursuant to Section 28.206** can be mailed in, dropped in the drop box at the Madison Municipal Building, or you can make an appointment at the Zoning counter to pay the fee. Checks should be made out to "City Treasurer." If you mail in the check or use the drop box, please include the application form with the project address and contact information. Zoning staff typically suggest using the drop box or making an appointment with the Zoning counter to pay the fee as they are the quickest.

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

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

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

3. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.

4. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]

5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any other questions or if may be of any further assistance, please do not hesitate to contact my office at cwells@cityofmadison.com or (608) 261-9135.

Sincerely,

Chris Wells
Planner

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

_____

Signature of Applicant

_____

Signature of Property Owner (if not the applicant)

cc: Timothy Troester, Engineering
Julius Smith, Engineering Division – Mapping Section
Sean Malloy, Traffic Engineering
Jacob Moskowitz, Zoning Administrator
Bill Sullivan, Fire Department
Kathleen Kane, Parks Division
Brad Hofmann, Forestry
Jeff Belshaw, Water Utility
Timothy Sobota, Metro Transit
Jessica Vaughn, Urban Design Commission
Bryan Johnson, Streets Division

LNDUSE-2023-00071			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Wells)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering	☒	Recycling Coor. (R&R)
☒	Fire Department	☒	Water Utility
☒	Metro Transit	☒	Forestry