PLANNING DIVISION STAFF REPORT

January 22, 2024

PREPARED FOR THE PLAN COMMISSION

Project Address: **929 E Washington Avenue**

Application Type: Conditional Use/ Major Alteration to an Approved Conditional Use

Legistar File ID # 81082

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Curtis V. Brink, Archipelago Village, LLC; 701 E Washington Avenue, Suite 105; Madison.

Contact Person: Doug Hursh, Potter Lawson, Inc.; 749 University Row, Suite 300; Madison.

Property Owner: Archipelago Village, LLC; PO Box 512; 505 N Carroll Street; Madison.

Requested Actions: Consideration of a conditional use in the Traditional Employment (TE) District for a building exceeding five stories and 68 feet in height; consideration of a conditional use in the TE District for a hotel; consideration of a major alteration to a conditional use per Section 28.137(2)(e) of the Zoning Code for a planned multi-use site containing a hotel; consideration of a conditional use in the TE District for a food and beverage use (including but not limited to a restaurant, restaurant-tavern, or brewpub); consideration of a conditional use in the TE District for an outdoor eating area for a food and beverage use; and consideration of a conditional use in the TE District for accessory outdoor recreation, all to allow construction of a 15-story, 265-room hotel with a food and beverage uses and outdoor eating area at 929 E Washington Avenue in a planned multi-use site containing a 144-room hotel, a five-story, 92,000 square-foot office building, and a shared 380-stall shared parking structure.

Proposal Summary: The applicant is seeking approval to construct a fifteen-story, 265-room hotel on the E Washington Avenue frontage of the "Archipelago Village" development, a planned multi-use site that occupies most of the block bounded by E Washington Avenue, S Paterson Street, E Main Street, and S Brearly Street and includes the 144-room Hotel Indigo at 901 E Washington at the E Washington-Paterson corner, and a five-story, 92,000 square-foot office building at 908 E Main Street at the northeasterly corner of E Main and S Paterson streets. The block will be served by a 528-stall garage following the addition of 148 stalls to the existing 380-stall structure located at the center of the development. The applicant wishes to begin construction of the hotel in summer 2024, with completion anticipated in winter 2025.

Applicable Regulations & Standards Table 28F-1 in Section 28.082(1) of the Zoning Code identifies hotels, inns and motels, and food and beverage uses and accessory outdoor eating areas, and outdoor recreation all as conditional uses in the TE (Traditional Employment) zoning district. Section 28.084(3)(c) requires that buildings exceeding five (5) stories and 68 feet in height in the TE district may be allowed with conditional use approval. Section 28.137(2)(e) requires that a planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet of floor area is designed or intended for retail use or for hotel or motel use be approved as a conditional use following a recommendation on the design of any specific proposal by the Urban Design Commission. Section 28.183 provides the process and standards for the approval of conditional use permits. The criteria for new development in Urban Design Dist. 8 are found in Section 33.24(15) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission and Plan Commission.

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional uses requested to construct a 15-story, 265-room hotel with food and beverage, outdoor eating areas, and outdoor recreation at 929 E Washington Avenue, subject to input at the public hearing, the conditions of the Urban Design Commission approval, and the conditions from reviewing agencies beginning on page 8 of this report.

Background Information

Parcel Location: The overall "Archipelago Village" site is an approximately 4.27-acre parcel generally located at the southeasterly corner of E Washington Avenue and S Paterson Street; Alder District 6 (Rummel); Urban Design District 8; Madison Metropolitan School District. The site does not include the City Employees Credit Union at 949 E Washington Avenue.

Existing Conditions and Land Use: The overall Archipelago Village site is developed with the converted five-story Kleuter Wholesale Grocery Warehouse at the northwesterly corner of the block, which has been redeveloped and expanded as Hotel Indigo, the one-story Telephone Building at 946 E Main Street, and the Wisconsin Housing and Economic Development Authority (WHEDA) offices at 908 E Main Street. A shared 380-stall parking structure is located at the center of the development block. The 929 E Washington and 920 E Main sites are currently vacant. The entire site is zoned TE (Traditional Employment District).

Surrounding Land Uses and Zoning:

North: Breese Stevens Field, zoned PR (Parks and Recreation District);

South: Madison Water Utility storage facility and garage, and Common Wealth Development's Main Street Industries multi-tenant industrial facility, zoned TE (Traditional Employment District);

West: Baker's Place mixed-use development under construction across S Paterson Street, zoned TE;

East: City Employees Credit Union and multi-tenant commercial buildings along E Washington Avenue, zoned TE.

Adopted Land Use Plans: The 2023 interim updates to the 2018 Comprehensive Plan recommends the 800- and 900-blocks of E Washington Avenue for Regional Mixed-Use (RMU), including all of the Archipelago Village site (it had previously been designated for Employment (E)).

The East Washington Avenue Capitol Gateway Corridor Plan recommends the subject block for employment, with opportunities to include residential uses as part of a comprehensive employment development. Commercial uses are recommended along the entire E Washington Avenue frontage. The Plan includes specific recommendations for height, building placement, and design which have been codified in MGO Section 33.24(15) as Urban Design District 8.

The East Rail Corridor Plan identifies the site for commercial and industrial uses consistent with the historic use of the property as part of a larger employment corridor that is centered along E Main Street and generally extends from E Washington Avenue to E Wilson Street.

Zoning Summary: The site is zoned TE (Traditional Employment District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	186,035 sq. ft.
Lot Width	50’	528’
Front Yard	15’ per UDD 8	14.35’
Side Yards (Per UDD 8)	0’ on interior	75’ adjacent to 949 E Washington
Rear Yard	None	---
Maximum Lot Coverage	85%	59%
Minimum Building Height	Per TOD Overlay, 2 stories/ 22’ measured to building cornice	15 stories/ 155.8’
Maximum Building Height	5 stories / 68’ per zoning; 12 stories along E Washington Ave. plus three bonus stories per UDD 8	
Auto Parking	No Minimum Required per TOD	148 Proposed Stalls, 380 Existing Stalls (528 Total)
Electric Vehicle (EV) Stalls	EV: 1% (1); EV Ready: 10% (15)	2 (See Zoning Conditions)
Bike Parking	Hotel: 1 per 10 bedrooms (26) Restaurant; restaurant-tavern: 5% of capacity of persons (TBD)	16 surface; 34 garage (50 total) (See Zoning Conditions)
Loading	3 (10’ x 50’)	(See Zoning Conditions)
Building Forms	Flex Building	Will Comply

Other Critical Zoning Items	
Yes:	Urban Design (Urban Design Dist. 8), Barrier Free, Utility Easements, Wellhead Protection (WP 24)
No:	Floodplain, Landmarks, Waterfront Development, Adjacent to Park

Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service along E Washington Avenue, with stops in the Paterson Street intersection (Stop ID 1565). The site is also located along the route of the future east-west Bus Rapid Transit (BRT) line, which will have a stop at Paterson. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 131 Weekday and 98 Weekend. Please contact Metro Transit if additional analysis would be of interest.

Previous Related Requests

On September 18, 2017, the Plan Commission approved a demolition permit and conditional uses to demolish three commercial buildings and an existing building addition to construct a new five-story addition to the historic five-story Kleuter Wholesale Grocery Warehouse at 901 E Washington Avenue as part of the conversion of the building into a 144-room “Hotel Indigo.”

On August 20, 2018, the Plan Commission did not find the standards met and placed on file without prejudice a request to demolish 924 E Main Street and an alteration to an approved conditional use for a hotel at 901 E Washington Avenue, which would have created a revised parking layout following demolition of the building.

On March 25, 2019, the Plan Commission approved an alteration to an approved conditional use for the hotel at 901 E Washington Avenue to provide an amended parking plan with tandem surface parking for approximately 75 autos. The Plan Commission recommended to the Transportation Commission and Common Council that a related request by the applicant to lease 50 stalls from 6:00 PM to 7:00 AM seven nights a week in the City's nearby South Livingston Street Ramp for use by the hotel be placed on file.

On May 6, 2019, the Plan Commission approved a demolition permit and conditional uses to demolish commercial buildings at 945 E Washington Avenue and 924 E Main Street to construct an eleven-story, approximately 252,600 square-foot office building and 626-stall parking garage along the E Washington frontage, including the removal, salvage, and storage of the building at 924 E Main Street for use in a future project on-site.

Subsequent minor alterations to the approved eleven-story building at 929 E Washington Avenue have increased the parking for the planned multi-use site from 626 automobile stalls to 718 and reduced the commercial/office space from 252,600 square feet to 208,000 square feet.

On June 8, 2020, the Plan Commission approved conditional uses and a parking reduction to construct a five-story, approximately 92,000 square-foot office at 902-908 E Main Street.

On October 19, 2020, the Plan Commission approved conditional uses and a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking to allow the construction of a ten-story mixed-use building containing 5,500 square feet of commercial space and 75 apartments with a shared 718-stall parking structure.

On October 20, 2020, the Common Council amended the East Washington Avenue Capitol Gateway Corridor Plan to revise the land use recommendation for the block bounded by E Washington Avenue, S Brearly Street, E Main Street, and S Paterson Street from "Employment" to "Employment/Residential."

On April 25, 2022, the Plan Commission a conditional uses for a building exceeding 68 feet in height, dwellings in a mixed-use building, and a major alteration to a conditional use-planned multi-use site containing a hotel, all to allow the construction of a fourteen-story mixed-use building containing 96,800 square feet of commercial space and 105 apartments at 929 E Washington Avenue with a shared 723-stall parking structure.

Project Description

The applicant, Archipelago Village, LLC, is requesting conditional use approval to construct a fifteen-story, 265-room hotel on a portion of the E Washington Avenue frontage previously approved for the construction of a fourteen-story mixed-use building.

The site of the proposed hotel is part of the 4.27-acre "Archipelago Village" planned multi-use site, which occupies most of the block bounded by E Washington Avenue, S Paterson Street, E Main Street, and S Brearly Street and includes the 144-room Hotel Indigo at the E Washington-Paterson corner and a five-story, 92,000 square-foot office building at 908 E Main Street at the southwesterly corner of the block at E Main and S Paterson streets. The

block is currently served by a 380-stall parking structure located in the center of the development, which is being built in phases, including an additional 148 stalls that will be constructed with the proposed hotel. The Archipelago Village site also includes the one-story brick Wisconsin Telephone Building located at 946 E Main Street. Sheet L100 of the civil plan set best shows the relationship between the existing and proposed buildings, and the parking structure that will serve the block. Whereas the previous proposal for the 929 site extended the full remaining frontage of the site along E Washington Avenue between the north-south private drive that extends through the block to E Main Street and the adjacent credit union, the proposed hotel will leave an approximately 100-foot space between it and the credit union property.

The proposed hotel will be located between the existing northerly façade of the parking structure and E Washington Avenue. The building will be set back approximately 14.35 feet from the northerly property line, with a raised terrace proposed between the building and E Washington sidewalk. The first floor of the building will include a lobby in the northwestern corner of the building, and a café/bar near the center of the floor. Entrances to the first floor will face E Washington Avenue and a drop-off zone to be located along the western façade, which will be accessed from the through-block north-south private drive. Most of the first floor will otherwise be occupied by a large ballroom (seating for approximately 300 is shown on Sheet A051) and associated spaces. Mechanical, storage, and other "back of house" functions for the hotel will be located along the south wall abutting the parking structure.

The second floor of the hotel will include an addition to the parking structure as well as offices and laundry facilities for the hotel; approximately half of the second floor will be open to the first floor below. Parking will comprise the entirety of the third through fifth floors, as shown on Sheets A053-A055 of the architectural plans. With the additional 148 automobile stalls proposed with the current proposal, a total of 528 parking spaces will be provided for the Archipelago Village development.

At the sixth floor, the hotel will become an L-shaped structure. The sixth floor will contain an indoor-outdoor bar, meeting room, guest library and seating rooms, and guest fitness room, which will open onto a large terrace proposed on the roof of the podium facing E Washington Avenue, or facing south onto the roof of the existing parking structure. The north-facing terrace will include generous outdoor seating areas, a sport court, and a hot tub. The 265 hotel guest rooms will occupy floors 7-15, as shown on the floorplans. The proposed hotel will be dual-branded, with the 'Tempo' and 'HWS (Homewood Suites)' on the floorplans denoting which brand will occupy which spaces on each floor. In all, the fifteen-story building will be 155.8 feet tall when measured to the roof.

Analysis & Conclusion

Any building taller than five (5) stories and 68 feet in height in TE zoning requires conditional use approval by the Plan Commission , in part to assess any impacts that may be created by a taller development (traffic, parking and circulation; aesthetics, etc.). Hotels, food and beverage uses (and accessory outdoor eating areas), and outdoor recreation uses like those shown on the first and sixth floors are also conditional uses in the TE district. Finally, the project also requires Plan Commission approval of a conditional use alteration for the approved planned multi-use site.

Consistency with Adopted Plans

The subject site and all of the 800- and 900-blocks of E Washington Avenue are recommended for Regional Mixed-Use (RMU) by the 2023 interim update to the 2018 Comprehensive Plan, superseding an earlier recommendation that the same area be developed with Employment (E) uses. The RMU designation approved by the Common

Council on December 5, 2023 along with the other interim updates reflects the evolution of those two blocks on the south side of E Washington Avenue from a predominantly employment and industrial zone, to one where residential, lodging, and entertainment uses have been approved as part of the mix of land uses in this part of the corridor.

The 2004 East Rail Corridor Plan recommends that employment and industrial land uses be developed on the southerly side of E Washington Avenue as part of a larger employment corridor centered on E Main Street and generally extending from E Washington to E Wilson Street from the Yahara River to S Blair Street. The 2004 plan recommendation reflects the employment and industrial uses present throughout much of that area throughout much of the area's history. In addition to the employment and industrial uses recommended, a limited amount of small-scale retail and service uses are recommended to serve the employment corridor.

The southerly side of E Washington Avenue is also planned for primarily employment uses in the East Washington Avenue Capitol Gateway Corridor Plan, with opportunities for supporting commercial uses at specific locations along the E Washington Avenue frontage (including on the subject block). In areas recommended for employment, the corridor plan "permits a mix of integrated uses within areas designated as employment to support the needs of employees and employers (such as small-scale retail, personal and business services, and, possibly, limited residential or live-work spaces)." An amendment to the plan approved in October 2020 changed the land use designation for the 900-block to Employment-Residential, with supporting text in the plan, which states that residential uses should be considered to "complement significant, large-scale employment development on the same block." The amendment was initially intended to facilitate development of the mixed-use building approved in the Archipelago Village development at 920 E Main Street. However, the tenets of the amendment were also applied to the E Washington Avenue frontage of the block when the 929 E Washington site was approved for the development of a 14-story mixed-use residential and commercial building in 2022 (now the site of the proposed hotel).

Staff believes that the proposed 265-room hotel is consistent with the RMU recommendations for the site in the Comprehensive Plan. The RMU land use category includes existing and planned high-intensity centers supporting a variety of multi-family housing options and commercial activity serving the needs of the region. These areas typically include large-scale sites supportive of multi-story buildings up to twelve stories in height subject to recommendations in adopted sub-area plans. RMU areas are intended to be the most intensively developed areas of the City outside of downtown and are mapped close to the junctions of major streets, along major roads, close to highway interchanges, and along existing and planned high-frequency/high-capacity public transit routes. RMU areas should be well connected with the adjoining street network and be transit-oriented, with a pedestrian-friendly public street network and buildings placed close to the sidewalk and street, and with parking located behind buildings, underground, on street, or in parking structures.

The proposed hotel is also generally consistent with the employment recommendations for the site in the older sub-area and corridor plans. As noted at the time the adjacent Hotel Indigo was approved by the Plan Commission, hotels are generally considered to be a complementary use in areas primarily recommended for employment.

Urban Design Commission

The East Washington Avenue Capitol Gateway Corridor Plan includes specific recommendations for height, building placement, and design for the corridor, which have been codified in MGO Section 33.24(15) as Urban Design District 8. The plan and UDD 8 generally allow up to an twelve-story building to be built along the E Washington Avenue frontage of the 900-Block, with the potential for three additional bonus stories to be

approved if specific criteria are met. The Urban Design Commission found that the project is consistent with the requirements and guidelines in Urban Design Dist. 8 and granted **initial approval** of the building at its January 10, 2024 meeting, including the request for three bonus stories. Final approval of the project by the Urban Design Commission is required prior to final review of the plans and issuance of building permits.

In granting approval of the three bonus stories, the Urban Design Commission cited [bonus story criteria] element 'i', for parking for multiple sites and a substantial portion being provided for public parking. The draft report of the January 10 Urban Design Commission discussion of the project is attached to conditional use file ID 81082; the report includes the conditions approved by the Commission in granting initial approval.

Conformance with Standards for Approval

The Plan Commission may not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: "The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met]."

When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall also consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.

The Planning Division believes that the conditional use request to construct the proposed hotel in excess of the five-story, 68-foot height limit in the TE zoning district can meet the standards for approval. The uses, values and enjoyment and normal and orderly development of surrounding properties should not be substantially impaired or diminished in any foreseeable manner by the establishment of the building. As noted in the preceding section, the northern half of the 900-block is planned for up to fifteen-story buildings if the bonus height criteria in Urban Design District 8 are met, which the Urban Design Commission approved as part of its recent initial approval of the building. Staff feels that the proposed hotel is well designed and will contribute positively to the character of development that has emerged along the E Washington Avenue corridor over the last fifteen years. Staff does not believe that the hotel will negatively impact the City's ability to provide services to the site and surrounding area, nor does staff anticipate any impacts on the transportation network resulting from the overall Archipelago Village development, which is subject to a Transportation Demand Management Plan (TDMP) approved with earlier phases of the development. Additionally, the development will be adjacent to a Bus Rapid Transit station to be located at Paterson Street.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** the conditional uses requested to construct a 15-story, 265-room hotel with food and beverage, outdoor eating areas, and

outdoor recreation at 929 E Washington Avenue, subject to input at the public hearing, the conditions of the Urban Design Commission approval, and the conditions from reviewing agencies that follow.

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

1. That Sheet C102 be revised to include a setback dimension from the easterly wall of the hotel to the eastern property line of the site adjacent to the credit union parcel at 949 E Washington Avenue.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

2. The property is an open contaminant site with the Wisconsin Department of Natural Resources (WDNR) (BRRTS #03-13-001608,MAUTZ PAINT SITE #1). Submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (e.g. vapor mitigation, dewatering) to Brynn Bemis ((608) 267-1986, bbemis@cityofmadison.com).

3. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.

4. Construct sidewalk, curb and gutter, terrace, and pavement according to a plan approved by the City Engineer.

5. 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.

6. An Erosion Control Permit is required for this project.

7. A Storm Water Management Report and Storm Water Management Permit is required for this project.

8. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, Capital Area Regional Planning Commission (CARPC), or Wisconsin Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.

9. 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.

10. 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. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service to which they are comfortable.

11. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch 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.

12. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre peryear.

13. 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, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.

14. 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 the City Engineering Division at (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.

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

16. This site has an existing stormwater management plan. Any changes to that plan or to the site that would affect that plan will need to be reviewed.

17. The proposed parcels within this development (and/or adjacent to) are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development shall be drafted, executed and recorded prior to building permit issuance.

City Engineering Division – Mapping Section (Contact Jeff Quamme, (608) 266-4097)

18. An amendment to Archipelago Village Condominium declaration and addendum to the plat shall be recorded due to the significant change in building / development proposed, additional floors and the change of boundaries between units and common elements. The necessary changes to the condominium units may affect parcel numbering and addressing for the building and condominium units. The plans shall acknowledge and show the changes to the units of the condominium plat.

19. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan of each floor level on a separate sheet/page 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 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 MGO Section 34.505, 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.

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

20. The applicant shall be financially responsible for the construction of a northbound turn lane at the intersection of S Paterson Street and Et Washington Avenue as required by the City Traffic Engineer to be completed under a City Engineering developer's agreement.

21. A deposit of $50,000 payable to City Treasurer will be required for the installation of pedestrian-level lighting on E Main Street and S Paterson Street to be completed under a City Engineering Division Developer's Agreement.

22. The applicant shall submit a Commercial Delivery Plan for review. This plan will include times, vehicle size, use of loading zones and all related turning movements. The applicant shall demonstrate use of loading zone with turning template.

23. The applicant shall submit a valet operations plan to be approved by the City Traffic Engineer prior to sign off. The plan shall include the anticipated valet routes.

24. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.

25. The developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

26. 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.

27. All parking facility design shall conform to the standards in MGO Section 10.08(6).

28. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

29. 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 the City Traffic Engineer.

30. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet–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 Section 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.

31. The applicant shall provide a clearly defined five-foot wide 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.

32. 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 four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the main City of Madison Traffic Engineering office with final plans for sign off.

33. 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 E Washington Avenue 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.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

34. Identify the principal building entrance and the setback distance from the property line. Principal building entrances on all new buildings shall be oriented to their primary abutting street and be located within the 20 foot maximum setback. The entrance shall have a functional, operable door and remain open to the public during the same hours as all other public building entrances. Additionally, secondary entrances may be oriented to a secondary street or parking area. Entrances shall be barrier-free, clearly visible and identifiable from the street, and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.

35. Required loading facilities shall comply with MGO Section 28.141(13). Provide three (10- by 50-foot) loading areas with 14 feet of vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.

36. The site lies within Wellhead Protection District 24. Per Section 28.102(3), all uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manger or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use.

37. Per Section 28.134(3) Capitol View Preservation, show the height of the building per City Datum. No portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building or 187.2 feet, City datum. Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses. For the purpose of this subsection, City datum zero (0.00) feet shall be established as 845.6 feet above sea level as established by the United States Coast and Geodetic Survey.

38. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (15 stalls) must be electric vehicle ready, and a minimum of 1% of the stalls (1 stall) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans and add the count of stalls to the Overall Parking Schedule.

39. Bicycle parking for the development shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Provide a minimum of 26 short-term bicycle parking stalls for the hotel. A food and beverage use such as a restaurant or restaurant-tavern will require an amount of bicycle parking equal to 5% of capacity of persons. Bicycle parking shall be located in a convenient and visible area on a paved or pervious surface and shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance.

40. Update the Overall Parking Schedule to include bicycle parking and the existing parking garage stalls.

41. Seed or sod the existing gravel surface located east of the proposed hotel building.

42. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first 60 feet from grade are comprised of greater than or equal to 50% glass, at least 85% of the glass must be treated. All glass within 15 feet of a building corner must be treated when see through or fly through conditions exist. For building façades where the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.

43. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

44. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

45. Interior exit stairs shall lead directly to the exterior of the building or extended with an exit passageway. Stair #2 does not meet this requirement.

46. Provide fire service access elevators.

47. Provide access to stair #1 from the fire service access elevator lobby.

48. The means of egress system serving any story or occupied roof shall be provided with the number of separate and distinct exits or access to exits based on the aggregate occupant load.

49. Coordinate fire alarm, fire sprinkler, standpipes, etc. with the existing parking garage, this addition, and future phases to operate as a single building with multiple addresses.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

50. This property is in a Wellhead Protection District–Zone (WP-24). The owner/applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Sarah Scroggins at Sscroggins@madisonwater.org for additional information, including a summary of the submittal requirements.

51. Any outstanding water main assessments or water main connection charges shall be paid by the developer prior to connecting to the existing water distribution system. Contact Adam Wiederhoeft of Madison Water Utility (awiederhoeft@madisonwater.org or (608) 266-9121) to determine if outstanding fees exist for the subject parcels.

52. The utility plan indicates connecting to an existing two-inch copper service. The existing eight-inch service to this lot is approximately 65 feet northeast. Update the site utility plan if the eight-inch is the intended service to be used.

53. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. 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 Avenue. 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. If you have questions regarding water service applications, please contact the Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

54. The applicant shall maintain or replace the concrete passenger boarding pad and bench seating amenity at the existing Metro bus stop on the south side of E Washington Avenue, east of S Paterson Street (#1565) that was a conditional of approval for the Hotel Indigo project. 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 to this property.

Parks Division (Contact Kathleen Kane, (608) 261-9671)

This agency has reviewed this request and recommended no conditions of approval.

Forestry Section (Contact Brad Hofmann, (608) 267-4908)

55. The developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist 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.

56. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and

species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

57. 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 whose district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.

58. City Forestry will issue a street tree removal permit for two trees: 5-inch hackberry and pear due to utility excavation. 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.

59. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The 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 belowground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.

60. As defined by the Section 107.13 of the *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 City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Add as a note on both the site and street tree plan sets.

61. Section 107.13(g) of the *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by the 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.

62. 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.

63. 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.

64. The developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developer's Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.

65. Additional street trees are needed for this project. Tree planting specifications can be found in Section 209 of the *City of Madison Standard Specifications for Public Works Construction*. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: "At least one week prior to street tree planting, the 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."

Parking Division (Contact Trent W. Schultz, (608) 246-5806)

66. The applicant shall receive approval of a Transportation Demand Management (TDM) Plan. A TDM Plan is required per MGO Section 16.03. Applicable fees can be processed after the project is approved by the Urban Design Commission, Plan Commission, and plans are resubmitted to staff for final sign off.