



Department of Planning & Community & Economic Development

Planning Division

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August 12, 2016

Jim Glueck
Glueck Architects
116 N. Few St.
Madison, WI 5373

RE: Approval of a Zoning Map Amendment (Rezoning) to rezone a portion of the project site (414 S. Baldwin St.) from Traditional Residential-Consistent 4 (TR-C4) to Traditional Shopping Street (TSS) and Conditional Use for a hotel use, two outdoor eating areas, caretaker's unit, at **412-414 S. Baldwin St.**

Dear Mr. Glueck:

At its August 8, 2016 meeting, the Plan Commission **approved** your request for to rezone the project site from TR-C4 to TSS, and a conditional use for a hotel use, two outdoor eating areas, caretaker's unit, at 412-414 S. Baldwin St. **Please note that final approval of the Zoning Map Amendment is subject to review and consideration of the Common Council at its September 9, 2016 meeting.** In order to receive final approval of the conditional use and for any necessary permits to be issued, the following conditions must be met:

Please contact my office at 267-8733 if you have questions regarding the following eight (8) items:

1. Prior final approval and building permit issuance, the Applicant shall submit final plans for review and approval by staff, and shall include the following revisions:
 - a. Revise the letter of intent for provide consistent information with the plan set, including floor area, bike parking, hotel rooms and seating information.
 - b. Include sheet numbers on all sheets in the plan set.
 - c. In the Building Summary Table please provide a calculation for open space (includes landscape areas, sidewalks under 5', permeable paver areas), paved area (includes bike parking, setback areas under eight feet in any dimension, concrete patio areas, etc.) and building footprint (both existing and new).
 - d. Correct the Project Totals to reflect the same number of outdoor seats provided as shown, 30 outdoor seats not 32.
 - e. The outdoor seating in the rear yard only reflects 24 seats, not 26. Revise as necessary
 - f. Correct the Parking Space Summary to reflect the total parking required and provided.
 - g. Correct the Bike Parking summary to reflect the total bike parking required (six spaces) and the total provided (11 spaces). In addition as indicated in the Letter of Intent a total of 15 hotel owned bikes will be available to hotel users. Please indicate where these bikes will be parking in

- the Letter of Intent.
- h. Provide fully dimensioned floor plans for all floors.
 - i. Pursuant to Section 28.141, MGO, a total of six (6) bike parking spaces are required. Pursuant to Section 28.141(11)(b), MGO, short-term bike parking is required to be within 100 feet of a principal entrance. Revise as necessary.
 - j. Include the overall building height on all building elevations.
 - k. Include the proposed materials on all four sides of the building.
 - m. Provide a detail of the proposed fence.
 - n. Provide a detail of the proposed trash enclosure.
2. Pursuant to Section 28.060(2)(a), MGO, all new buildings shall have a functional entrance oriented to an abutting public street. Entries shall be delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features. As indicated on the first floor plan there is not currently a functional "front door" fronting on S. Baldwin Street. The Applicant shall work with Planning Division staff to revise the building elevations to include an operational "front door". Please note that changes to the exterior elevations may require Landmark Commission review and approval.
 3. As indicated on the site plan, bike parking is proposed in the terrace on S. Baldwin Street, in the right-of-way. This approval does not constitute approval of such an encroachment. A Privilege in Streets Permit is required in order to locate the proposed bike parking in the terrace as shown.
 4. The outdoor eating area shall not be used for food and beverage service or outdoor activity after 9:30 PM, seven days a week.
 5. There shall be no amplified sound, including, but not limited to television, ambient music or musical performances, in the outdoor eating area.
 6. Pending review by the Building Inspection Division, the capacity of the outdoor eating area shall not exceed 38 persons.
 7. The hotel use shall be limited to 11 guest rooms.
 8. The Applicant shall provide an Operating Plan that provides details regarding the proposed operating details for the hotel and restaurant, including:
 - The frequency, hours and location of delivery services, including parking;
 - Trash service, including coordination with surrounding businesses;
 - The location of guest loading, unloading and parking; and
 - Property maintenance and security.

Please contact Brenda Stanley, City Engineering, at 261-9137 if you have questions regarding the following six (6) items:

1. All outstanding 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 sign-off (Section 16.23(9)(d)(4), MGO).

2. This The site plan shall be revised 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).
3. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development (POLICY).
4. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).
5. All work in the public right-of-way shall be performed by a City licensed contractor (Sections 16.23(9)(c)(5) and 23.01, MGO).
6. All damage to the pavement on S Baldwin St, adjacent to this development shall be restored I accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).

Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following three (3) items:

1. The Applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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.
2. 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.
3. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at 266-4429 if you have questions regarding the following eleven (11) items:

1. Provide a calculation and plan exhibit for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.

2. Show the height of the proposed building on the elevations. Height is the average of the height of all building facades. For each facade, height is measured from the midpoint of the existing grade to the highest point on the roof of the building or structure. No individual facade shall be more than fifteen percent (15%) higher than the maximum height of the zoning district.
3. Vehicle parking is required at a minimum rate of 15% of capacity of persons (13 stalls) for the proposed restaurant-tavern and outdoor eating areas. A vehicle parking reduction will be required per Section 28.141(5). A reduction of up to 20 spaces may be approved by the Zoning Administrator. A request for a parking reduction, including information to support the argument for reducing the required number of spaces, has been submitted for review.
4. Provide details of the proposed bike storage area.
5. Submit a landscape worksheet with the final plan submittal. The landscaping shall be shown consistently between the two site plans or on a separate landscape plan.
6. Submit a detail of the trash enclosure area. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
7. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Unit. Contact a building plan reviewer with the Building Inspection Unit to help facilitate this process.
8. Provide an appropriate barrier such as a fence between the outdoor eating areas and the public sidewalk and adjacent properties. Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
9. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
10. Per Section 28.186(4)(b), MGO, 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.
11. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Janet Schmidt, Parks Division, at 266-4714 if you have any questions regarding the flowing two (2) items:

1. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of

park fees before sign off on the rezoning. This development is within the Law Tenney impact fee district (SI 26). Please reference ID# 16132 when contacting Parks about this project.

2. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction: <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Please contact Adam Wiederhoeft, Water Utility at 266-9121 if you have questions regarding the following item:

1. All operating private wells shall be identified and permitted by the Water Utility in accordance with Section 13.21, MGO. All unused private wells shall be abandoned in accordance with Section 13.21, MGO.

Please contact Jeff Quamme, City Engineering Review Mapping, at 266-4097 if you have questions regarding the following three (3) items:

1. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
2. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
3. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. Identify all doorways into the building and into every room. Label the hotel lobby/check in area. Label the lower level kitchen prep area. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

Specific questions regarding the comments or conditions in this letter should be directed to the commenting agency. No building permits shall be issued until the Applicant has met all of the conditions of approval stated in this letter.

For obtaining your conditional use, please follow the procedures listed below:

1. Please revise your plans per the above conditions and submit nine (9) copies of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. This submittal shall also include one complete digital plan set in PDF format. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206, MGO, and any other documentation requested herein by the Zoning Administrator, located in Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Blvd., Madison, WI 53701. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for final approval.
2. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.
3. When requesting conditional use approval, this letter shall be signed by the Applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the Applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the Applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use, or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions, or if I may be of any further assistance, please do not hesitate to contact my office at 267-8733.

Sincerely,



Jessica Vaughn, AICP
Planner

- cc: Brenda Stanley, City Engineering
Jeff Quamme, City Engineering Review Mapping
Eric Halvorson, Traffic Engineering Division
Jenny Kirchgatter, Zoning
Adam Wiederhoeft, Water Utility
Janet Schmidt, Parks Division

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Vaughn)	<input checked="" type="checkbox"/>	Zoning Administrator
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Engineering Mapping Sec.	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Water Utility