



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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****BY E-MAIL ONLY****

April 2, 2019

Doug Hursh
Potter Lawson, Inc.
749 University Row, Suite 300
Madison, Wisconsin 53562

RE: Approval of a demolition permit and conditional use to demolish commercial buildings at 945 E. Washington Avenue and 924 E. Main Street to construct an eleven-story, 257,200 square-foot office building and 693-stall parking garage along the E. Washington Avenue frontage in Urban Design Dist. 8.; and approval of an alteration to an approved conditional use for the approved hotel at 901 E. Washington Avenue to provide an amended parking plan (Archipelago Village, LLC). (LNDUSE-2019-00010; ID 54482)

Dear Mr. Hursh;

At its March 25, 2019 meeting, the Plan Commission found the standards met and **conditionally approved** the alteration to an approved conditional use for the approved hotel at 901 E. Washington Avenue to provide an amended parking plan. Prior to issuance of permits for the hotel, the conditions of approval in the following sections shall be satisfied.

Also at the March 25 meeting, the Plan Commission **referred** consideration of the demolition permit and conditional use related to 929 E. Washington Avenue to a future meeting pending additional review by the Urban Design Commission (tentatively scheduled for April 10) and submittal of additional information regarding glare impacts and retention of 924 E. Main Street as part of the 929 redevelopment.

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have any questions regarding the following eight (8) items:

1. The area adjacent to this proposed development has a known flooding risk. All entrances shall be at a minimum elevation of 852.0. This includes garage entrances.
2. 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.
3. The City sanitary sewer on Paterson Street is undersized. A condition of the future development (Unit 2 located S. Paterson Street/ E. Main Street will be to replace the sewer in the 100-block of South Paterson St.

4. The property is an open contaminant site with the Wisconsin Department of Natural Resources (WDNR) (BRRTS #03-13-001608). A digital copy of the site investigation report and material management plan shall be submitted to Brynn Bemis (267.1986, bbemis@cityofmadison.com). The applicant shall submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (i.e. vapor mitigation, dewatering).
5. The applicant shall 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). The digital copies shall be to scale, and shall have a scale bar on the plan set. The PDF submittals shall contain the following information: a) Building Footprints; b) Internal Walkway Areas; c) Internal Site Parking Areas; d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); e) Right-of-Way lines (public and private); f) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; and k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
6. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14-inch paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Daniel Olivares at DAOlivares@cityofmadison.com final document and fee should be submitted to City Engineering.
7. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: reduce TSS by 80% (TMDL) off of the proposed development when compared with the existing site; and complete an erosion control plan and 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 Madison General Ordinances.
8. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following twenty-two (22) items (not all of which may apply to this approval, at the sole discretion of the Traffic Engineering Division):

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

10. 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.
11. 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.
12. 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.
13. All parking facility design shall conform to the standards in MGO Section 10.08(6).
14. The applicant(s) shall maintain a 5-foot wide, Americans with Disabilities Act (ADA)-compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5-foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
15. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
16. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
17. 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–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.

18. The applicant shall provide a clearly defined 5-foot 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.
19. All parking ramps as they 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.
20. 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.
21. 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 City of Madison Traffic Engineering office with final plans for sign off.
22. 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.
23. "Stop" signs shall be installed at a height of seven (7) feet 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.
24. One-way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the exit.
25. 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.
26. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
27. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans.

28. Secure parking facility. This is usually done with continuous six-inch curb, timbers, preformed wheel stops, guardrail erected at a height of 18 inches or fencing of sufficient strength to act as a vehicle bumper.
29. Provide pedestrian access to all building entrances from the public right-of-way.
30. The 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. The applicant shall demonstrate use of loading zone with turning template.

Please contact Matt Tucker, Zoning Administrator, at 266-4569 if you have any questions regarding the following four (4) items, including the conditions included in an e-mail dated March 28, 2019 regarding implementation of the conditional use alteration approved on March 25 prior to occupancy of the hotel:

31. Note: If the office building [929] does not move forward, the original plan from when the hotel was originally approved, which assumes no other development occurs, will need to be implemented at the site.
32. The valet parking shall be paved and any area not paved should be grass/lawn, particularly along the edges/streets. The parking area shall be striped in accordance with the pavement markings on the approved plans. Implementation of the approved landscaping plan for the hotel shall be determined by the Zoning Administrator (per condition #26 below).
33. The two barbed wire/chain link fences along E Main Street shall be removed.
34. 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.

The Plan Commission approval is contingent upon implementation of the 75-stall on-site valet parking plan. The Commission recommended against the proposed lease of 50 stalls in the South Livingston Street Garage (Resolution ID 55078) to the Transportation Commission and Common Council. However, final approval of that lease rests with those bodies; if the applicant pursues the lease, information on how the additional valet stalls will function should be included in the final plans for the 901 hotel on file with the Zoning Administrator and Traffic Engineer.

Approval of the revised hotel parking plan for 901 E. Washington Avenue does not constitute approval of nor support for any additional construction on the block. Approval of any additional development on the subject block shall require additional approvals by the Urban Design Commission and Plan Commission.

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 901 E. Washington Avenue:

1. Please file **six (6) sets** of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building or occupancy permit approval.
3. 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 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

TIMOTHY M. PARKS
Planner

cc: Brenda Stanley, City Engineering Division
Sean Malloy, Traffic Engineering Division
Eric Halvorson, Traffic Engineering Division
Matt Tucker, Zoning Administrator
Bill Sullivan, Madison Fire Department

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 Applicant)*

LNDUSE-2019-00010 (*For Hotel Parking Alteration Only*)			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering (EP)	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Water Utility (EP)	<input type="checkbox"/>	Other: