# PLANNING DIVISION STAFF REPORT – ADDENDUM

**June 24, 2019**

PREPARED FOR THE PLAN COMMISSION

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| **Project Address:** | **760-780 Regent Street** (8th Aldermanic District – Ald. Reddy) |
| **Application Type:** | Zoning Map Amendment and Certified Survey Map |
| **Legistar File ID #** | 55385 |
| **Prepared By:** | Colin Punt, Planning Division<br>Report includes comments from other City agencies, as noted |
| **Reviewed By:** | Kevin Firchow, Principal Planner |

Prior to the June 10 Plan Commission meeting, the applicant provided a response to many of the conditions in the Plan Commission staff report. The applicant has subsequently met with staff from several reviewing agencies to discuss recommended conditions of approval and changes to the proposal.

Within the city-owned parcel at the northern edge of the site, the applicant has responded to staff and Plan Commission comments by eliminating the need for material grading, removing the access drive to the parking structure and most of the surface parking, and extending the "gallery walk" path from the landscaped northwest corner of the building to the patio at the northeast corner. The applicant has made several interior changes to the hotel building to accommodate the change of grade.

City Real Estate Office, Engineering Division - Mapping Office, and Attorney's Office staff have confirmed that construction and utility connections can occur within the leased parcel under the existing lease. Regarding changes to the leased area, alterations to sidewalks and parking layout and access are subject to agreements between the private parties leasing the space. All other improvements within the parcel will be subject to a new lease, which is to be drafted later and is anticipated to be before the Common Council in fall 2019.

The applicant has also proposed a new additional extension to the southern parking area to the east of the existing office building at 780 Regent Street to offset the loss of existing parking elsewhere on site. Staff believe this is an acceptable change. The applicant will be required to update stormwater and runoff exhibits, calculations, and other requirements prior to final staff sign-off. An additional access point will be required between the new parking area and the existing driveway onto Regent Street. Traffic Engineering staff have reviewed and approved this change.

In response to condition of approval #6, the applicant has also requested approval of two 9' x 50' loading areas, rather than the two 10' x 50' loading areas typically required. Zoning Staff believes this request to be acceptable and recommends the Plan Commission approve the request. This loading area requirement will be written into the zoning text for the SIP, to be reviewed and approved by the Zoning Administrator.

The sidewalk adjacent to the southwest corner and central portion of the southern façade was originally identified by the Traffic Engineering Division as being too narrow. The applicant has agreed to install a rolled curb in this location, widening the effective useable space of this sidewalk. Traffic Engineering staff have reviewed and approved this change. This is reflected in changes to recommended conditions of approval #47 and #53.

The applicant has drafted a Reciprocal Easement Agreement (REA) with the owners of the 740 Regent Street and 780 Regent Street office buildings that governs access, parking, utilities, drainage, and other issues. Pending

staff approval, the REA will address recommended conditions of approval #9, #11, #28, #31, and #55. Condition of approval #21 must be addressed through a separate agreement.

Staff notes Planned Development approval standard (e), which states that "*The PD District Plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.*" Staff's primary concern in regards to this standard is the amount and location or EIFS, which as proposed, would not be permitted in conventionally-zoned mixed-use/commercial, or Downtown Zoning Districts. In these districts, EIFS is only allowed as a trim or accent material at the top of buildings and is not a permitted material for the base or middle areas of facades. Planning Division staff has significant concerns with utilizing EIFS in a manner that is not allowed in conventional zoning districts, considering this standard and the aforementioned PD Zoning District statement of purpose that promotes "high-quality architecture and building materials." Staff note, however, that the Urban Design Commission, which by ordinance is required to make a design recommendation, did not recommend modifications to modify the amount of EIFS. Staff acknowledge that other buildings within this same Planned Development include EIFS applications that would not comply with the aforementioned zoning standards, though these were constructed prior to those standards being approved in 2013.

Staff notes that in the June 10 Staff Report, mention was made to a second-floor outdoor terrace overlooking the southern entrance. This was removed by the applicant following staff and UDC direction to add more useable outdoor space at the northeast and west ends of the building. Finally, Staff notes that the zoning text for this Specific Implementation Plan approval supersedes the previous underlying approvals for this specific site.

## Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00372 and 28.022–00373, rezoning 760-780 Regent Street from PD-SIP (Planned Development – Specific Implementation District) to amended PD-SIP, to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

**Updated Recommended Conditions of Approval**

Following Plan Commission's recommendation, the applicant and City Staff have addressed many of conditions and applicant concerns. These discussions and changes to the applicant's plans have resulted in changes to several recommended conditions of approval. Staff have included all recommended conditions of approval below. Conditions #47 and #53 have been removed. Conditions #1, #38, #39, and #62 (updated #60) have been modified.

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

1. This Planned Development approval includes the installation of artistic/decorative screening panels as generally depicted on approved plans. Final design details are not available at the time of this rezoning approval. Prior to final Planning Division and UDC Secretary sign-off of this Planned Development, additional detail including the materials, construction, mounting methods, and printed screen design information including curatorial plan and general concepts shall be provided. This information shall first be presented to

the Urban Design Commission for an advisory review. As required by ordinance, the Urban Design Commission shall review the alteration for conformance with the PD standards and determine it meets the design objectives in MGO Subsections 28.098(1) and (2) and other requirements of Subchapter 28.098 (2). The Urban Design Commission has requested that this information be submitted and reviewed at the same as the overall signage package, though the applicant can submit the artwork installation package at an earlier date.

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

2. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required accessible stalls including van accessible stalls. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls. The stalls must be evenly distributed at each accessible entrance.

3. Bicycle parking for this project shall be provided per Section 28.141(4) and Table 28I-3 as uses are established for the various spaces in the development**.** Per Section 28.141(11), required bicycle parking shall comply with short and long-term bicycle parking requirements for both residential and non-residential uses, to be shown on the final plan sets. Show the dimensions of the bicycle stalls and the access aisles. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. The access aisle must not be obstructed by vehicles, columns or other structures. Provide a detail of the proposed bike rack including any structured or wall mount bike racks.

4. Submit a revised zoning text. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the UMX district.

5. Submit a landscape plan and landscape worksheet stamped by a 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.

6. Required loading facilities shall comply with MGO Section 28.141(13). Provide 2 10’ x 50’ loading areas with 14’ vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. A Planned Development shall comply with all standards, procedures, and regulations of the Zoning ordinance that are applicable to the individual uses within the development, including the General Regulations of Subchapter 28I and the Supplemental Regulations of Subchapter 28J. Where the applicant proposes a development that does not comply with one or more of the regulations in those subchapters, they shall specifically request that the Plan Commission consider the application of those regulations in making its recommendations on the development, including specific language in the zoning text or depiction on the plans.

7. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it 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. Submit a detail of the trash enclosure if provided outside the building.

8. As proposed, the new rooftop mechanical equipment will not be visible to view. Upon installation, if the new rooftop mechanical equipment is visible, screening will be required per Section 28.142(9)(d).

**City Engineering Division** (Contact Tim Troester, 267-1995)

9. 4.91 this site is interdependent with adjacent lands. A shared access and stormwater management agreement shall be recorded with the Dane Co register of deeds and a copy provided to City Engineering.

10. The Applicant shall note that the leased area is reserved for future transportation and the lease is considered an interim use. The Applicant shall remove the retaining walls from the leased area.

11. 5.99 Sanitary sewer manhole proposed to be connected to for sanitary is not a publicly owned sewer manhole. Applicant will need to obtain ownership maintenance agreement for private sewer main connected to if the plans are to remain as is. Alternatively, applicant can connect to City manhole directly (SAS 4852-006) and avoid maintenance agreement. The proposed sewer lateral appears to be on neighboring lot(east). Applicant shall obtain a private sanitary sewer easement for sewer facilities built on neighboring lot.

12. 6.12 This development appears to have multiple existing laterals extended to the property line. In an effort to reduce inflow and contamination to the City's sanitary system our policy is to plug at the main laterals that are no longer active when associated with a new or redevelopment project. City Engineering will complete aTV inspection of the main to help clarify which laterals are active and which need to be plugged as a condition of approval for this application. The applicant is notified that as a condition of approval a sewer plug permit will be required for one or more laterals associated with this project that will no longer be used at its completion.

13. 6.2 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 signoff. (MGO 16.23(9)(d)(4)

14. 6.5 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)

15. 6.1 Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. The permit application is available on line at http://www.cityofmadison.com/engineering/permits.cfm. (MGO CH 35.02(14))

16. 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY)

17. 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)

18. 4.13 The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either

AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:

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) Private on-site sanitary sewer utilities (including all connections to public sanitary)
k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.
NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

19. 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))

20. 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
    a) SLAMM DAT files
    b) RECARGA files
    c) TR-55/HYDROCAD/Etc
    d) Sediment loading calculations.

    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. (POLICY and MGO 37.09(2))

21. 4.21 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 size 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

22. 4.5 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the 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 per year.

23. 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity. The current plan appears to show saw toothing the pavement - show where water will go when the storm sewer is at capacity.(POLICY)

24. 4.6a 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 (NOTIFICATION)

25. 4.9c Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.

26. 3.7 The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6)This permit application is available on line at http://www.cityofmadison.com/engineering/permits.cfm.

27. 3.14 The Applicant shall 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)

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

28. The location of the Common Drive access between this site and the property to the east is being modified by this project and the proposed land division requires modification of the parcels subject to the agreement. Provide the amendment to the Driveway Easement per Doc No. 2540854. The final document shall be recorded immediately after the pending CSM and prior to final sign off of the site plan. The site plan shall show and note the new easement area.

29. This site currently benefits from a parking lot lease over City lands per Doc No 4347972 and is part of a proposed land division creating the development (Hotel) parcel. Additionally, there are parking lot changes, change of grade, addition of stairs, retaining wall and a bike rack proposed within the lease area. The existing lease is proposed to be split into two new lease agreements (one for the Hotel and the other for the remainder of the current lease area). Any approved new leases shall be drafted by the Madison Office of Real Estate Services, approved by the Common Council and recorded prior to final sign off for any site plan including any new proposed improvements within the lease area. All private parking lot improvements within the lease area shall be subject to approval by City of Madison Engineering. All improvements within the lease area shall be subject to removal by the owner (at the City's request or termination of lease) and the area shall be restored required per the terms of the lease. The city shall be

held harmless for any damages resulting from loss of use of this area for access or any noncompliance with City Ordinances upon removal of the improvements. No structural retaining walls or other improvement necessary for access to the parking structure shall be allowed in the lease area. Private improvements constructed in the lease area shall not be items required by ordinance or integral to the building improvements and associated uses proposed.

30. A sidewalk, retaining wall for the sidewalk, landscaping and lighting is proposed within the adjacent City of Madison Transportation right of way near the northwesterly portion of this development. If any improvements are approved, they shall be included within the new separate lease and the lease subject to approval by the Common Council. The site plan shall be revised to show all improvements in this portion of the Transportation right of way as future proposed improvements and not allowed to be constructed until a new lease has been approved by the Common Council. Coordinate any lease with City of Madison Real Estate Services and Jeff Quamme of Engineering Mapping. All improvements shall be subject to removal by the owner at their cost and restoration of the area to current condition upon the termination of the lease.

31. Provide for review, comprehensive easements and agreements including storm water drainage, storm management and sanitary sewer that are necessary to accomplish the land division or site development as proposed prior to final sign off. Many cross property lines or are shared. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.

32. Applicant has indicated, in order to maintain the construction schedule, a portion of the existing parking lease area per Doc No 4347972 would be assigned to the owner of the Hotel site to allow the construction of the hotel to commence. This is allowed per the terms of the current lease and would allow staging and associated construction uses within the lease area with permission of all of the Tenants of the lease. The construction of any of the proposed new improvements within the lease area are not permitted until a new lease has been approved by the Common Council. The site plan shall be revised to show any proposed improvements within the lease area as future proposed improvements not allowed to be constructed until a new lease has been approved by the Common Council. If a new lease is not approved, a revised plan shall be submitted removing any new improvements within the City right of way and the current the lease area shall be restored to its previous condition prior to construction.

33. 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

34. Amendments/Releases to the two MG&E Easements, Doc No's 5372092 & 2649308 may be necessary to construct the project as proposed. Developer shall be responsible to coordinate with MG&E.

35. The address of the proposed hotel is 770 Regent St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

36. Hotel room numbers shall follow City of Madison addressing standards. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet 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 application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. 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. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

37. The overall access easement per Document No. 2629991 shall be acknowledged and part of any reciprocal access easement amendment necessary for this proposed development.

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

38. The applicant shall work with Traffic Engineering to minimize construction impact to the Southwest Commuter Path.

39. The applicant shall not permanently regrade the City owned leased area and the site plan shall be revised to show any proposed improvements within the lease area as future proposed improvements not allowed to be constructed until a new lease has been approved by the Common Council. The intended use for the City owned parcel is to accommodate Future Transportation Corridor Use, regrading of the parcel will limit future public use of the parcel. Construction staging, preliminary grading, construction, and utility connections as well as construction staging and preliminary grading can be undertaken under the existing lease. Alterations to the existing surface parking, parking access, and sidewalks are subject to agreements between the private parties leasing the space.

40. The applicant shall remove the proposed pedestrian access to the Southwest Commuter path in the Northwest corner of their site.

41. 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; 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.

42. 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.

43. 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.

44. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

45. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

46. 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.

47. 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.

48. "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.

49. One way operation of the angled parking area shall be secured using signage and pavement markings. “One Way Signs” and “Do Not Enter” signs shall be noted on the supplemental plan.

50. All parking stalls must be clear of any and all obstructions (including columns) to be considered a legal parking stall. For large car this means 9' by 18' clear, for one-size-fits-all this means 8.75' by 17' clear. On the submitted plan, it appears that structural columns are located within several parking stalls.

51. 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.

52. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

53. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

54. Note: The applicant has submitted the requested Traffic Impact Analysis study; the study has been reviewed and accepted by Traffic Engineering.

55. The applicant shall work with Traffic Engineering to determine optimal placement of outdoor bike parking and provide more detailed information.

56. The proposed underground bike parking appears to be in an inaccessible location; the applicant shall work with Traffic Engineering to provide accessible underground bike parking

57. The proposed underground bike parking lacks sufficient detail and cannot be reviewed at this time, work with Traffic Engineering to provide efficient underground bike parking.

58. The Southwest Commuter Path is a major multi-modal transportation corridor for the City of Madison. As such the applicant shall work with Traffic Engineering to provide detailed information on all access points

for careful consideration and review. The applicant can expect alterations up to and including removing and relocating any existing access deemed inappropriate.

59. Items in the Right-of-Way are not approvable through the site plan approval process. Make a note on all pages showing improvements in the ROW that states: The Right-of-Way is the sole jurisdiction of the City of Madison and is subject to change at anytime per the recommendation/plan of Traffic Engineering and City Engineering Depts.

60. Prior to final sign off the applicant shall add the following note on the face of the plan: "The access to the westernmost driveway on Regent Street shall be altered, final geometry to be determined by the City Traffic Engineer, with the redevelopment of the parcel(s) on the south side of Regent Street."
At this time, the preferred design will eliminate the Left Out movement onto eastbound Regent Street but preserve the Left In access from Eastbound Regent Street.

**Water Utility** (Contact Adam Wiederhoeft, 266-9121)

61. Coordinate water main relocation with Madison Water Utility. Lowering of existing public water main will require a WI-DNR Water Main Extension permit prior to proceeding. Applicant to provide design to Madison Water Utility, MWU to submit permit application to WI-DNR.

62. 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/plumberscontractors), 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.

**Forestry Division** (Contact Brad Hofmann)

63. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

64. 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 prior to the start of construction. 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/2018/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.

65. City Forestry will issue a removal permit for 3 Ash trees tree due to construction conflicts along bike path access ramp. Please contact Brad Hofmann – bhofmann@cityofmadison.com or 266-4816 to obtain the street tree removal permit.