



PREPARED FOR THE PLAN COMMISSION

Project Address: 223 South Pinckney Street (District 4- Ald. Verveer)
Application Type: Demolition Permit, Planned Development Alteration, Conditional Use, and Certified Survey Map
Legistar File ID # [55916](#), [55921](#), [56121](#), & [56288](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report includes comments from other City agencies, as noted
Reviewed By: Heather Stouder, AICP, Planning Division Director

Summary

Applicant: Beitler Real Estate Services, LLC; 980 North Michigan Ave. Suite 1225; Chicago, IL 60611
City of Madison, Office of Real Estate Services; 215 Martin Luther King Jr. Blvd; Madison, WI 53701
City of Madison Parking Utility; 215 Martin Luther King Jr. Blvd; Suite 109; Madison, WI 53703
Contact: James DeStafano; LVDA LLC; 57 W Grand Ave. Suite 300; Chicago, IL 60654
Todd Buhr, JSD Professional Services, 161 Horizon Dr. Suite 101; Verona WI 53593
Sabrina Tolley; Madison Parking Utility; 215 Martin Luther King Jr. Blvd; Suite 109; Madison, WI 53703
Owner: City of Madison (Economic Development Division) 215 Martin Luther King Jr. Blvd; Madison, W 53703

Requested Action: The applicants request approval of the following: 1) Zoning Map Amendment to approve a revised Specific Implementation Plan; 2) Conditional Use (re-approval) for elevator / mechanical equipment above the Capitol Height Limit; 3) Demolition Permit (re-approval) for the Government East Parking Garage, and 4) Two-lot Certified Survey Map (CSM).

Proposal Summary: This request includes modifications to an approved 253-unit hotel and mixed use building to remove one underground level and associated onsite parking, with corresponding façade alterations. As part of this proposal, the applicant also requests re-approval of the conditional use for select projections above the Capitol Height Limit. The City Parking Utility also requests re-approval to demolish the Government East Parking Garage. Finally, a two-lot Certified Survey Map is proposed to divide the subject property into two lots.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition Permits [MGO § 28.185(7)]; Zoning Map Amendments [MGO §28.182(6)]; Planned Developments [MGO §28.098(2)]; Conditional Uses [MGO §28.183(6)]; and Land Divisions [MGO §16.23].

Review Required By: Plan Commission and Common Council

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards for Zoning Map Amendments and Planned Developments are met and forward (second) substitute zoning amendment 28.022-00390 rezoning a portion of 223 South Pinckney Street to amended Planned Development-Specific Implementation District, to the Common Council with a recommendation of **approval**. Further, the Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met and **approve** the demolition of the Government East Parking Structure and the conditional use request for elevator penthouse/mechanicals above the Capitol View Preservation height limit. Finally, the Planning Division recommends that the Plan Commission find that the approval standards are met and **approve** the two-lot CSM. These recommendations are subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The subject property includes portions of Downtown Block 105. The subject site is within Aldermanic District 4, Tax Incremental Finance District (TID) 25 and is within the Limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes the existing 522-stall Government East Parking Structure, constructed in 1958 and operated by the City Parking Utility. Photos of that structure are included in the application materials. In regards to condition, an excerpt from a conditions report is provided as an attachment.

Surrounding Land Use and Zoning:

North: Mixed-use and office development, zoned PD (Planned Development) and DC (Downtown Core);

South: Apartment and office building, zoned DC and PD;

East: Landmark “Fess Hotel” (now Great Dane Brew Pub) and other mixed use buildings zoned DC and PD; and

West: “Block 88” Development, under construction with the Madison Municipal Building, beyond, zoned DC.

Adopted Land Use Plan: The Comprehensive Plan (2018) (Links to: [Part 1](#), [Part 2](#), and [Part 3](#)) recommends “Downtown Core” uses including a wide variety of employment, service, retail, government, residential, and other uses in large scale buildings that comprise the most intensely developed part of the City. The more specific Downtown Plan (2012) similarly includes the subject site within the Downtown Core District. That Plan identifies this district as the center of Downtown and notes that it should generally possess the highest intensity of development including a mix of office, employment, retail and other uses.

Zoning Summary: An alteration to a Planned Development-Specific Implementation Plan (PD-SIP) is proposed.

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plans.	As per submitted plans.
Lot Width	As per approved plans.	As per submitted plans.
Front Yard Setback	As per approved plans.	As per submitted plans.
Side Yard Setback	As per approved plans.	As per submitted plans.
Rear Yard Setback	As per approved plans.	As per submitted plans.
Usable Open Space	As per approved plans.	As per submitted plans.
Lot Coverage	As per approved plans.	As per submitted plans.
Floor Area Ratio	As per approved plans.	As per submitted plans.
Building Height	As per approved plans.	As per submitted plans. (Comment # 37)
Number Parking Stalls	As per approved plans.	None
Accessible Stalls	None	None
Loading	As per approved plans.	1 (10' x 50')
Number Bike Parking Stalls	Hotel: 1 per 10 bedrooms (25) General retail, service business, office: 1 per 2,000 ft ² floor area (3) (28 total)	36 (Comments # 38,39)
Landscaping and Screening	Yes	Yes (Comment # 40,41)
Lighting	Yes	Yes
Building Forms	As per approved plans.	As per submitted plans.
Other Critical Zoning Items	Urban Design, Adjacent to a Landmark, Barrier Free (ILHR 69), Utility Easements Wellhead Protection District	

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

Public Utilities and Services: This property is served by a full range of urban services.

Project History – Land Use Approvals

On April 22, 2017, the Plan Commission considered various requests related to the Judge Doyle development on portions of Downtown Blocks 88 and 105. At that meeting, the Plan Commission approved the demolition of the Government East Parking Structure and approved the conditional use request to allow mechanical projections into the Capitol View Height Limit. At the same meeting, the Plan Commission recommended approval of the rezoning of this property from DC (Downtown Core) to PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan). The Plan Commission also approved a three-lot Certified Survey Map (CSM). On May 2, 2017, the Common Council approved the rezoning requests.

Since the original approvals, the demolition permit, conditional use, and the period of time to record the development plans have been extended beyond the original expiration dates. The most recent extensions were approved in April 2019, extending each of the approvals by 36 total months, the maximum allowed by code. Without further action, the demolition and conditional use approvals would expire on April 22, 2020. The time to record the plans will expire on May 2, 2020.

A final administrative minor alteration was approved in April 2019, clarifying that the hotel and residential buildings could be recorded separately, consistent with the phasing details approved by the Common Council-approved development agreement with Beitler Real Estate Services.

Project Description

There are multiple requests before the Plan Commission for the subject site. These requests pertain only to 223 South Pinckney Street, which is also referred to as “Block 105” of the Judge Doyle development. There are no modifications related to “Block 88,” or the block west of South Pinckney Street as part of this review.

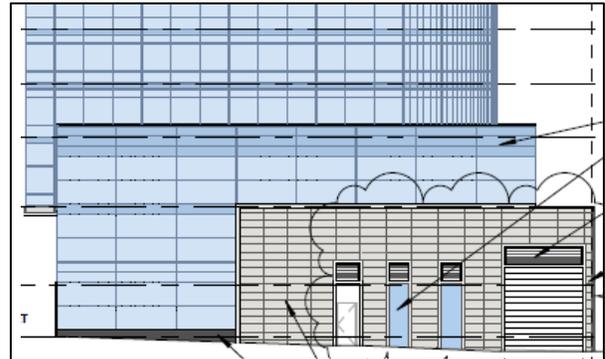
The first request is the re-approval of the demolition of the Government East Parking Garage. The Plan Commission is the approving body on this request. The subject site includes the existing 522-stall Government East Parking Structure, constructed in 1958 and operated by the City Parking Utility. Photographs of that structure are included in the application materials. In regards to condition, an excerpt from a conditions report is provided.

The second request is the approval of an amended Specific Implementation Plan (SIP). The Plan Commission is advisory to the Common Council on this request. The proposed alterations apply only to the Phase 1 SIP. The primary change is the removal of one underground level. As approved in 2017, there were two underground levels for the hotel. As part of the original approval, the lowest level (Lower Level 2) included a pool, fitness room, and other administrative offices and functions. Lower Level 1 included 36 parking stalls and was accessed from East Wilson Street. As part of this proposed alteration, the on-site parking level would be removed with the resulting lower level being utilized for pool, fitness, and other hotel functions. The Common Council has approved an agreement to lease 40 stalls in the adjacent parking ramp on Block 88 to offset the parking loss.

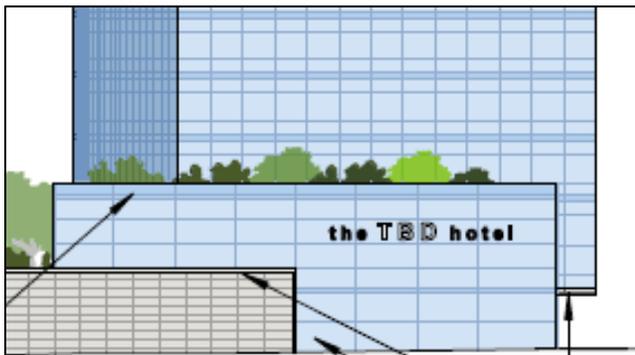
Corresponding façade changes are proposed to the East Wilson and Doty Street facades. Along Wilson Street, the previously approved underground parking entrance is now comprised of a door and spandrel-clad panels. Along Doty Street, additional windows and doors to an enclosed bike parking area are now proposed. No changes are proposed along South Pinckney Street.



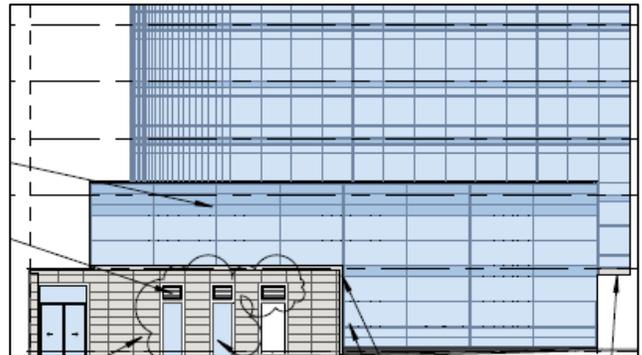
Above: West Wilson Street - Lower Levels of Hotel
March 22, 2017 Plans



Above: West Wilson Street - Lower Levels of Hotel
Proposed May 7, 2019 Alteration



Above: West Doty Street - Lower Levels of Hotel
March 22, 2017 Plans



Above: West Doty Street - Lower Levels of Hotel
Proposed May 7, 2019 Alteration

The third request is re-approval of the Conditional Use for elevator penthouses and screened mechanical equipment to exceed the Capitol View Preservation height limit. The Plan Commission is the approving body on this request. The proposed plans show the projection height is 16 feet above the top of the building and 17 feet above the top of the slab roof. This projection appears consistent with the 2017 approval.

The final request is approval of a two lot certified survey map, dividing the subject property (Lot 3 of CSM No. 14577) into two lots. Proposed Lot 1 is 25,127 square feet in area and is the location of the Phase 1 SIP. Proposed Lot 2 has an area of 27,315 square feet and is the location of the future phase apartment building.

Analysis and Conclusion

These requests are subject to the standards for Demolition Permits [MGO § 28.185(7)]; Zoning Map Amendments [MGO §28.182(6)]; Planned Developments [MGO §28.098(2)]; Conditional Uses [MGO §28.183(6)]; and Land Divisions [MGO §16.23]. This analysis begins with a summary of conformance with Adopted Plans.

Conformance with Adopted Plans

The Comprehensive Plan (2018) (Links to: [Part 1](#), [Part 2](#), and [Part 3](#)) recommends “Downtown Core” uses including a wide variety of employment, service, retail, government, residential, and other uses in large scale buildings that comprise the most intensely developed part of the City. The more specific Downtown Plan (2012) similarly includes the subject site within the Downtown Core District. That Plan identifies this district as the center of Downtown and notes that it should generally possess the highest intensity of development including a mix of office, employment, retail and other uses. The recommended maximum height is “Capitol View.” Staff believes that the ground level facade alterations improve the pedestrian character of East Doty and Wilson Streets. The Planning Division believes that the requests can be found consistent with adopted plan recommendations.

Demolition Standards

In order to re-approve the demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section and the intent and purpose expressed in the PD Zoning District. The purpose of the Demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties. The demolition standards also state that the proposed use should be compatible with adopted plans, which are discussed above.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City’s Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. Staff notes that no objections to the parking structure demolition were raised by the City’s Preservation Planner or by the Landmarks Commission, who again found that there was no known historic value with the structure.

Staff believes that these standards can be found met. Re-approving the demolition request would allow for 12 additional months to complete the demolition, with the ability to extend that approval to a maximum 36 months from the date of the Plan Commission approval.

Zoning Map Amendment Standards

These standards are relatively broad and state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes also requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City’s Comprehensive Plan. 2010 Wisconsin Act 372 clarified “consistent with” as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.” Staff believes that a finding of consistency could be made in regards to this request for a Planned Development alteration. The Planning Division believes the Zoning Map Amendment Standards can be found met.

Planned Development (PD) Standards

Planned Developments are established as a voluntary regulatory framework to facilitate unique development to encourage high-quality architecture and materials and development that is sensitive to environmental, cultural, and economic considerations. In order to approve a Planned Development, the standards of Section 28.098 must be found met. The Planning Division believes that the proposed alterations are façade improvements to the East Doty and Wilson street facades. With the proposed parking lease agreement, the applicant is providing 40 parking stalls, to replace the 36 stalls that were depicted on previously approved plans. Approval of the PD amendment would allow extend the time to record plans by 12 months, which can be extended up to 36 months from the Common Council approval. The Planning Division believes that the Planned Development standards can be found met.

Conditional Use Standards

The Zoning Administrator states that encroachments for mechanical equipment and elevator penthouses are permissible with Conditional Use approval. The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plans and finding that all of the conditional use standards of §28.183(6) MGO are met. The current plans appear consistent with what was previously approved in 2017 in regards to rooftop mechanical areas and elevator penthouses. The current plans provide previously requested dimensional information. The height is specified as 16 feet above the top of the parapet wall and 17 feet from the top of the slab roof. The Planning Division notes that similar encroachments have been approved for other downtown developments. The height of the screen wall should be of the minimum height necessary to adequately screen the roof-top items. The Planning Division believes that the Conditional Use Standards can be found met with the re-approval of this request. If approved, this approval would be valid for 12 months with the ability to extend that approval to a maximum 36 months from the date of Plan Commission approval.

Land Division (Certified Survey Map) Standards

The Planning Division believes that the Land Division standards of Section 16.23 can be met with the conditions recommended by Reviewing Agencies. The CSM approval is valid for 12 months.

Advisory Recommendation from Preservation Planner

As this development is adjacent to an approved City Landmark Building (The Fess Hotel - currently "The Great Dane"), an advisory recommendation is required from either the Landmarks Commission or Preservation Planner. On March 20, 2017, the Landmarks Commission recommended to the Plan Commission and Urban Design Commissions that the original development is not so large or visually intrusive as to adversely affect the historic character and integrity of the adjacent landmarks (Madison Municipal Building and Fess Hotel). As the current alterations only pertain to Block 105, it is only adjacent to the Fess Hotel. Due to the limited scope of the alterations above grade, these were reviewed by the City's Preservation Planner on behalf of the Landmarks Commission. The Preservation Planner's recommendation is that proposed alterations were not so large or visually intrusive as to adversely affect the historic character and integrity of the adjacent landmark.

Advisory Recommendation from the Urban Design Commission Secretary

Alterations to approved Planned Developments require review by either the Urban Design Commission (UDC) or the UDC Secretary. Considering the limited scope of changes above grade, the UDC Secretary has reviewed this request on behalf of the Commission. The Secretary believes that the removal of the parking ramp access and the corresponding East Wilson Street façade modifications improve the pedestrian character of this block face. Similarly, the changes on East Doty Street are believed by the Secretary to be in keeping with the previous

comments of the UDC. The Secretary further notes the following UDC approval conditions from July 12, 2017 relate to the this development phase and its alterations:

- *The applicant will develop designs for the at-grade landscaping to fit the striking design of the building itself and to integrate with the sculpture to activate the pedestrian space on Pinckney Street.*
- *The applicant will produce fully-detailed landscaping plans including plan views and elevations that are internally consistent and will develop the building elevations to show the true views of the actual rooftop green space (i.e. landscaping).*
- *The applicant will consider adding more intensive plantings on the lower levels of the green roofs, as shown in some of their elevations that so they could be partially viewed from the street level.*
- *The applicant will develop and submit detailed elevations which shall show the ultimate aesthetic of the building and provide additional detail on materials including how materials join, return, and/or terminate. All drawings shall be internally-consistent and not include illustrative features (e.g. landscaping) not included on other plans.*
- *The applicant will develop and submit a lighting plan and photometrics.*
- *The applicant will submit building materials to staff for review.*

To meet these comments, the UDC Secretary has recommended the following specific conditions of approval:

1. Provide ground and roof level landscaping species information, including all seasonal plantings and seed mixes for approval by the UDC Secretary as part of sign-off
2. Submit additional information on the building rooftop cornice details for approval by the UDC Secretary as part of sign-off.

Public Input

At the time of report writing, the Planning Division had not received any comments on the proposed land use or land division requests.

Conclusion

The Planning Division believes that the applicable standards for Zoning Map Amendments, Conditional Uses, Demolition Permits, and Land Divisions can be found met.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find the standards for Zoning Map Amendments and Planned Developments are met and forward (second) substitute zoning amendment 28.022-00390 rezoning a portion of 223 South Pinckney Street to amended Planned Development-Specific Implementation District, to the Common Council with a recommendation of **approval**. Further, the Planning Division recommends that the Plan Commission find that the standards for demolition permits and conditional uses are met and **approve** the demolition of the Government East Parking Structure and the conditional use request for elevator penthouse/mechanicals above the Capitol View Preservation height limit. Finally, the Planning Division recommends that the Plan Commission find that the approval standards are met and **approve** the two-lot CSM. These recommendations are subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

AMENDED PD-SIP AND CONDITIONAL USE

Planning Division (Contact Kevin Firchow, (608) 267-1150)

1. For the Phase 1 SIP Hotel, louvers are depicted above doors and windows. Any additional large venting requirements for mechanical equipment which will not be accommodated in the depicted louvers will be considered either a minor (administrative) or major alteration to this approval depending on the scope of the changes. (Note, the review of additional venting/mechanical equipment was previously part of Condition 77, May 26, 2017 Approval Letter. Other components of that condition have been met or don't apply to this development phase.)
2. For the Phase 1 SIP Hotel, the general dimensions of the overall rooftop screening areas are specified in the submitted plan sets. The height of the screening walls should be the minimum height necessary to screen equipment. An increase in the height or the area beyond what is shown in the May 7, 2019 plans will require consideration of either a minor (administrative) or major alteration to this approval depending on the scope of the changes.

Urban Design Commission (Contact Janine Glaeser, (608) 267-8740)

3. Provide ground and roof level landscaping species information, including all seasonal plantings and seed mixes for approval by the UDC Secretary as part of sign-off.
4. Submit additional information on the building rooftop cornice details for approval by the UDC Secretary as part of sign-off.

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

5. 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))
6. 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)
7. Applicant shall submit a utility plan. A utility plan was not included in the submitted plans dated May 7, 2019 and more specific comments cannot be provided until a plan with further detail is submitted. The City Engineering Division will review the utility plan for its conformance with applicable policies and standards when it is submitted.
8. The plan set shall be revised to show roof drain locations and/or connections into public storm sewer. It is necessary to show the location of drainage leaving the site to the public right-of-way.
9. 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 Footprintsb) Internal Walkway Areasc) Internal Site Parking Areasd) 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 unplattedg) Lot numbers or the words unplattedh) Lot/Plat dimensionsi) Street namesj) 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.

10. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
11. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used. POLICY AND MGO 10.29
12. 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.
13. 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)
14. 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 the Madison General Ordinances.
15. Applicant shall enter into a maintenance agreement for all non-standard pavement or streetscape furniture in the right of way.
16. Applicant shall install Bassett style pedestrian lighting along E Doty St, S Pinckney St, & E Wilson St as required by City Engineer.
17. The construction of this project will require that the applicant shall enter into a City / Developer agreement for the required infrastructure improvements. 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. Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)

18. 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)
19. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. (MGO 16.23(9)(d)(6))
20. 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)
21. Based on historical documents (Sanborn maps), a filling station was located at E. Doty and S. Pinckney on the property, and the property may contain residual contaminated soil. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations shall be followed for proper handling and disposal.

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

22. 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
23. Prior to recording the pending Certified Survey Map, the limits and configuration of the existing Public Sidewalk Easement along Pinkney St and Doty St shall be confirmed to still be correct in relation to the proposed development.
24. A Maintenance Agreement will be required for the proposed water fountain/sculpture improvements, planters and bike racks.
25. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
26. There is planned future construction and a courtyard between this development and the future residential building to the northeast. The necessary agreement(s) to accommodate the future building construction adjacent to this building and an agreement addressing future courtyard for adjacent construction and use of the shared courtyard area shall be coordinated with the City.
27. 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 hotel room number 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.

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

28. The applicant shall work with Traffic Engineering to provide a loading zone that will limit the negative impacts to the adjacent public Right-of-Way. It is our experience if a site is built with a 10 foot wide loading zone the operators of the facilities find this to be insufficient and look to the City to provide additional loading on-street. Often this is problematic if not impossible to provide and the applicants are additionally troubled when they learn on-street loading zones are not reserved for one user.

Note: During the review process the applicant has made alterations improving the loading zone, as such if there are no future alterations to diminish the loading zone in capacity or operation will be acceptable to TE.

29. The applicant shall submit one contiguous plan showing proposed modifications 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.

30. 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.

31. 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.

32. 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.

33. The developer shall work with the City to resolve any construction-related issues. A detailed construction plan shall be provided showing all access and staging areas.

34. 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.

35. The applicant shall recess all doors that swing into the existing sidewalk easement and/or pedestrian environment.

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

36. Final submittal of documents and plans shall include the General Development Plan information for the entirety of Block 105. This General Development Plan, originally approved on May 2, 2017, shall include 1) the conceptual site plan for both buildings and 2) general massing diagrams and section drawings labeling the building heights and number of stories for both buildings.
37. Submit the Zoning text for review by Planning and Zoning staff.
38. Per Section 28.134(3) Capitol View Preservation, show the height of the building per City Datum to the top of the elevator overrun and mechanical screen wall. 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 one hundred eighty-seven and two-tenths (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 on existing buildings 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 eight hundred forty-five and six-tenths (845.6) feet above sea level as established by the United States Coast and Geodetic Survey.
39. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). A minimum of 25 bicycle stalls shall be required for the hotel. A minimum of three (3) bicycle stalls shall be required for the commercial and retail uses located in a convenient and visible area. Bicycle parking for the retail and commercial uses shall be located within one hundred (100) feet of a principal entrance. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the bike rack design, including structured or wall mount bike racks.
40. The bicycle parking requirements will be reviewed prior to obtaining Zoning approval for the future commercial tenant space uses.
41. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. Include details for the green roof.
42. 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.
43. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Forestry Review (Contact Bradley Hofmann, (608) 267-4908)

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| 44. City Forestry will issue a removal permit for two Honeylocust on E Doty Street trees due to construction conflicts. Please contact City Forestry (608) 266-4816 to obtain the street tree removal permit. |
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45. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann - bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction.
46. Contractor shall contact City Forestry (608) 266-4816 at least one week prior to forming concrete and constructing tree grates to determine tree locations.
47. Contractor shall contact City Forestry (608) 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

48. The Utility/Site Plan(s) shall be revised to show all existing and proposed water mains, valves, hydrants and service laterals in the project area as well as identify the diameters of the existing water mains and laterals.
49. Madison Water Utility will be required to sign off as part of the approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

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

50. In coordination with public works improvements, the applicant shall maintain or replace the concrete terrace at the existing (or alternate) Metro bus stop on the south side of East Doty Street, east of Pinckney Street (#1189).
51. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.

52. Metro Transit operates special event/detour service along East Doty Street through the Pinckney Street intersection. Bus stop ID #1189 is adjacent the proposed project site along the south side of East Doty Street, with the current bus stop zone encompassing the area from the existing bus stop sign pole west back towards the intersection.
53. The applicant might consider additional transit amenities on the property adjacent this bus stop zone, such as a trash receptacles or a seating amenity, in finalizing their landscape plan.

The following agencies reviewed this request and has no recommended conditions of approval regarding the PD and Conditional Use Requests:

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

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

Office of Real Estate Services (Contact Jenifer Frese, (608) 267-8719)

DEMOLITION

Planning Division (Contact Kevin Firchow, (608) 267-1150)

1. This request has been approved with the revised plans for Block 105 as the proposed alternative future use. Upon the recommendation of the City Attorney, the Director of Building Inspection may issue necessary raze permits to allow the demolition of the parking structure prior to the sign-off and recording of the development plans in order to meet the City's contractual obligations under the development agreement with Beitler Real Estate Services approved by the Common Council.

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

2. The Applicant is requesting to leave the storm connection active to drain the basement of the site between completion of the demo and start of the new construction. This is allowable but the connection must be shown on the erosion control plan. Following demo, the basement will require erosion control measures be installed prior to discharging to the above mentioned storm connection. These measures include, but are not limited to, seeding of the "basement" area.
3. 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))
4. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
5. Applicant shall submit an existing utility plan which includes the sanitary and storm sewer plug locations.
6. Based on historical documents (Sanborn maps), a filling station was located at E. Doty and S. Pinckney on the property, and the property may contain residual contaminated soil. If contaminated soil is encountered as part of this redevelopment, all WDNR and DSPS regulations shall be followed for proper handling and disposal.

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

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

7. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
8. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
9. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

Forestry Review (Contact Bradley Hofmann, (608) 267-4908)

10. 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.
11. City Forestry will issue a removal permit for two Honeylocust on E Doty Street trees due to construction conflicts. Please contact City Forestry (608) 266-4816 to obtain the street tree removal permit.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

12. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

The following agencies reviewed this request and has no recommended conditions of approval regarding the demolition request:

- Urban Design Commission** (Contact Janine Glaeser, (608) 267-8740)
- City Engineering – Mapping Section** (Contact Jeff Quamme, (608) 266-4097)
- Traffic Engineering** (Contact Sean Malloy, (608) 266-5987)
- Madison Fire Department** (Contact Bill Sullivan, (608) 261-9658)
- Parks Division** (Contact Kathleen Kane, (608) 261-9671)
- Metro Transit** (Contact Tim Sobota, (608) 261-4289)
- Office of Real Estate Services** (Contact Jenifer Frese, (608) 267-8719)

CERTIFIED SURVEY MAP

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

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 signoff. (MGO 16.23(9)(d)(4))
2. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact either Tim Troester at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
3. Any future development on this property will require conditions as noted in City rezoning application number LNDUSE-2019-00050.

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

4. Change the Mayor in the Owner's Certificate to Mayor Satya Rhodes-Conway. Also the Plan Commission shall leave the Secretary Certificate blank, Natalie Erdman is no long the Secretary.
5. On Sheet 2, place a note under the Madison Parking Garage label: To be Demolished.
6. The Applicant shall submit to Jeff Quamme, prior to Engineering sign-off of the subject CSM, one (1) digital CADD drawing and one (1) signed copy of the final plat/CSM to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe pdf format. The digital CADD file shall be submitted in the WISDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat:
 - a. Right-of-Way lines (public and private)
 - b. Lot lines
 - c. Lot numbers
 - d. Lot/Plat dimensions
 - e. Street names
 - f. Easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any original submittal of data and prior to final sign off.

7. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final CSM must be submitted to Engineering Division Surveyor / Land Records Coordinator for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. Electronic mail submittal of the CSM in PDF form is preferred. Transmit to jrquamme@cityofmadison.com
8. This pending Certified Survey Map application 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.
9. Add text to the label for the Public Sidewalk Easement conditions on sheet 4: Per CSM No. 14577

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

10. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."

11. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park -Infrastructure Impact Fee district. Please reference ID# 17114.1 when contacting Parks about this project.
12. Parks Division will be required to sign off on this CSM.

Office of Real Estate Services (Contact Jenifer Frese, (608) 267-8719)

13. Signature block certifications shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). The executed original hard stock recordable CSM shall be presented at the time of sign-off. The Office of Real Estate Services ("ORES") can assist with obtaining City signatures. Please revise the name of the City of Madison Mayor to Satya Rhodes-Conway in the Owner's Certificate and the notary block.
14. There are no current mortgages reported in title. If a mortgage is secured prior to CSM approval sign-off, a certificate of consent shall be included and executed for each mortgagee of record.
15. Please revise the City of Madison Plan Commission Certificate with the interim Secretary: Nan Fey.
16. If property taxes are incurred prior to CSM approval sign-off because of a property transfer to a taxable entity, they shall be paid in full per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances. This includes property tax bills for the prior year that are distributed at the beginning of the year.
17. ORES (City office of Real Estate Services) is responsible for ordering a title update, if necessary.
18. Amend the CSM as follows. In the first paragraph of the easement conditions on Sheet 4, please revise the first sentence to include "... over, across and within a portion of the property, the "Easement Area", is established....."

The following agencies reviewed this request and has no recommended conditions of approval regarding the Certified Survey Map CSM:

- Planning Division** (Contact Kevin Firchow, (608) 267-1150)
- Urban Design Commission** (Contact Janine Glaeser, (608) 267-8740)
- Traffic Engineering** (Contact Sean Malloy, (608) 266-5987)
- Zoning Administrator** (Contact Jenny Kirchgatter, (608) 266-4429)
- Madison Fire Department** (Contact Bill Sullivan, (608) 261-9658)
- Forestry Review** (Contact Bradley Hofmann, (608) 267-4908)
- Water Utility** (Contact Adam Wiederhoeft, (608) 266-9121)
- Metro Transit** (Contact Tim Sobota, (608) 261-4289)