



Department of Planning & Community & Economic Development

Planning Division

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September 6, 2019

James DeStafano
LVDA LLC
57 W Grand Ave. Suite 300
Chicago, IL 60654

RE: LNDUSE-2019-00050 | ID# 56288
Approval of an Amended PD -SIP District for Block 105 (223 South Pinckney Street)

Dear Mr. DeStafano:

At its September 3, 2019 meeting, the Common Council approved your client's request for an amended Planned Development-Specific Implementation Plan. The following approval conditions shall be satisfied prior to final plan approval, recording of the planned development, the issuance of building permits for this project, and, where applicable, throughout the life of the use. At their August 12, 2019 meeting, the Plan Commission placed the related demolition permit and conditional use requests on file without prejudice. The related two lot Certified Survey Map was approved by the Plan Commission on August 12, 2019 and Common Council on September 3, 2019 and a separate approval letter is being provided.

Please contact Brenda Stanley of the City Engineering Division at 608-261-9127 if you have any questions regarding the following 17 items:

1. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
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. (POLICY)
3. 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.
4. 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.
5. 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 troester@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.

6. 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.
7. 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
8. 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.
9. 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)
10. 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.
11. Applicant shall enter into a maintenance agreement for all non-standard pavement or streetscape furniture in the right of way.

12. Applicant shall install Bassett style pedestrian lighting along E Doty St, S Pinckney St, & E Wilson St as required by City Engineer.
13. 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)
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)
15. 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))
16. 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)
17. 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.

Please contact Jeff Quamme of the City Engineering Division–Mapping Section at 608-266-4097 if you have any questions regarding the following six (6) items:

18. 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
19. 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.
20. A Maintenance Agreement will be required for the proposed water fountain/sculpture improvements, planters and bike racks.
21. 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.

22. 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.
23. 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.

Please contact Sean Malloy of the Traffic Engineering Division at 608-266-5987 if you have any questions regarding the following eight (8) items:

24. 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.

25. 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.
26. 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.
27. 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.

28. 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.
29. 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.
30. 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.
31. The applicant shall recess all doors that swing into the existing sidewalk easement and/or pedestrian environment.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 608-266-4429 if you have questions about the following eight (8) items:

32. 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.
33. Submit the Zoning text for review by Planning and Zoning staff.
34. 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.
35. 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.

36. The bicycle parking requirements will be reviewed prior to obtaining Zoning approval for the future commercial tenant space uses.
37. 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.
38. 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.
39. 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.

Please contact Adam Wiederhoeft of the Madison Water Utility at 608-266-9121 if you have any questions regarding the following two (2) items:

40. 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.
41. 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.

Please contact Bradley Hofmann of City Forestry at 608-267-4908 if you have any questions regarding the following four (4) items:

42. 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.
43. 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.
44. Contractor shall contact City Forestry (608) 266-4816 at least one week prior to forming concrete and constructing tree grates to determine tree locations.
45. 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.

Please contact Bill Sullivan of the Madison Fire Department at 608-261-4429 if you have questions regarding compliance with applicable fire codes and ordinances.

Please contact Tim Sobota of Metro Transit at 608-261-4289 if you have questions regarding compliance with applicable fire codes and ordinances.

46. 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).
47. 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.
48. 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.
49. 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.

Please contact my office at 608-267-1150 if you have any questions regarding the following two (2) items.

50. 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.)
51. 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.

Please contact Janine Glaeser, Urban Design Commission Secretary, at 608-267-8740 if you have any questions about the following two (2) items.

52. 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.
53. Submit additional information on the building rooftop cornice details for approval by the UDC Secretary as part of sign-off.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

After the planned development has been revised per the above conditions, please file **eleven (11) 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, Suite 017, 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 the Zoning staff to the City department staff listed above for their final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

Under State Statute §66.10015(5), this approval shall be valid for five (5) years from the date of the Common Council Approval granted on September 3, 2019. If this plan is not recorded by that time, as described above, the approval shall be null and void. However, this approval is further subject to the terms and conditions of the Development Agreement executed between the City and your client which contains shorter time periods for construction. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 608-266-4551. If I may be of any further assistance, please do not hesitate to contact me at 608-267-1150.

Sincerely,

Kevin Firchow, AICP
Principal Planner

cc: ALL VIA EMAIL

Matt Tucker, Zoning Administrator
Brenda Stanley, City Engineering Division
Dave Schaller, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping
Sean Malloy, City Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Bradley Hoffman, City Forestry
Katherine Kane, Madison Parks Division
Adam Wiederhoeft, Madison Water Utility
Tim Sobota, Metro Transit
George Austin, Project Director
Nan Fey, Interim Director DPCED
JP Beitler, Beitler Real Estate Services

Accela ID: LNDUSE-2019-00050			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: Metro
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: