



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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

May 20, 2020

Justin Frahm  
JSD Professional Services, Inc.  
7402 Stone Ridge Drive, Suite 4  
Weston, Wisconsin 54476

RE: Approval of an amended Planned Development–Specific Implementation Plan to allow construction of a five-story mixed-use building containing 13,676 square feet of commercial space and 105 apartments at 2524 Winnebago Street in the Union Corners planned development (Ted Matkom, Gorman & Co.). (LNDUSE-2020-00017; ID 59856)

Dear Mr. Frahm;

On May 19, 2020, the Common Council **conditionally approved** your request to amend the PD(SIP) for 2524 Winnebago Street to allow construction of a mixed-use building. The approval is subject to the conditions in the following sections, which shall be satisfied prior to final approval and recording of the amended planned development and the issuance of building permits for the project.

**Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following twenty-four (24) items:**

1. The applicant shall provide projected wastewater flow volumes for the proposed development for the two separate sanitary sewer laterals (Milwaukee Street, and E Washington Avenue). Offsite sanitary sewer improvements with a developer agreement may be required.
2. Enter into a City / Developer agreement for required infrastructure improvements. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
4. 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.

5. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project and shall comply with all the conditions of the permit.
6. An Erosion Control Permit is required for this project.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project.
9. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 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. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
10. Based on historical documents (WDNR BRRS #06-13-506291), 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.
11. Provide the City Engineer with a survey indicating the grade of the existing sidewalk and street and hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. Building entrance grades must be approved by the City Engineer prior to signing off on this development.
12. 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.
13. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer.
14. Revise plan to show the location of all rain gutter down spout discharge locations.
15. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation.
16. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-year design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide

calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed plumber that show this requirement has been met.

17. This project will disturb 20,000 square feet or more of land area and requires an Erosion Control Plan. Please submit an 11 x 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.
18. Demonstrate compliance with MGO Sections 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
19. This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Madison-Dane County Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
20. This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
21. 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.
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Storm Water Management Plan and Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: This development shall reduce the peak discharge by 15% compared to existing condition during the 10-year event.

This development shall reduce peak discharge volume from the site by 5% compared to existing conditions during a 10-year event.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first half-inch of runoff over the proposed parking facility and/or drive up window. 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.

23. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
24. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

**Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following two (2) items:**

25. The sheet showing the supposed current boundary and topography does not accurately represent current conditions or property boundaries. This sheet and any incorrect representations shall be updated to be correct and accurate and represent clearly the current lot boundary of Lot 2 of Certified Survey Map 13940. Additionally, the plans shall show, note and/or label the Cross Easement Declaration per Document No. 5176966, No-Build Restrictions with this site per Document No. 5220822, Declaration Of Ingress/Egress Easement Document No. 5220823, Declaration of Storm Water Easement Document Nos. 5176965 and 5220817.
26. Submit a floorplan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floorplan for each floor on a separate sheet for the development of a complete building and 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 submittal of the final Site Plan Approval application 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 Addressing 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 266-5987 if you have any questions regarding the following sixteen (16) items:**

27. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including

two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

28. 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.
29. 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.
30. All parking facility design shall conform to the standards in MGO Section 10.08(6).
31. All pedestrian walkways adjacent parking stalls shall be seven (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.
32. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
33. Per MGO Section 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
34. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 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 Section 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.
35. The parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO Section 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
36. 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.
37. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineering Division to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) (ascheib@cityofmadison.com) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return

one signed approved building elevation copy to the City of Madison Traffic Engineering Division main office with final plans for sign off.

38. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
39. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
40. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
41. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the public right of way on E Washington Avenue will be granted for construction purposes. Provide a detailed construction plan to the Traffic Engineering Division for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
42. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following five (5) items:**

43. Submit a zoning text for the project. In the zoning text, revise the signage to be allowed as per MGO Chapter 31, as compared to the CC-T district.
44. Required loading facilities shall comply with MGO Section 28.141(13). Provide one (1) 10- x 50-foot loading area with 14 feet of 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.**
45. 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 10,000 square feet in size must be prepared by a registered landscape architect.

46. 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.
47. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:**

48. The site plans shall clearly identify the location of all fire lanes. MGO Section 34.503/IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, if any part of the building is over 30 feet in height. The near edge of the aerial fire lane shall be within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side. The aerial fire lane shall cover not less than 25% of the building perimeter.

**Please contact Jeff Belshaw of the Madison Water Utility at 261-9835 if you have any questions regarding the following four (4) items:**

49. This property appears to have an outstanding water main connection charges associated with the original water main installation (installed in 2007). Outstanding balances for water main connection charges are based on original installation cost and applicable bond interest, payable to Madison Water Utility. Improvements which substantially change the use of the property may require any outstanding deferred assessments or connection fees to be paid in full prior to proceeding with the proposed improvements. Contact Adam Wiederhoeft at [awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) to determine the final water main and/or existing water lateral connection fees.
50. Revise Site Utility plan to indicate type of connection to the public water main for the hydrant lead. The hydrant shown on the Site Utility plan will be considered private.
51. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two (2) working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. 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. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.
52. 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/plumbers->

contractors), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. 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 266-4646.

**Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following three (3) items:**

53. In coordination with public works improvements, the applicant shall maintain or replace the existing concrete boarding pad surface at the bus stop on the south side of Milwaukee Street, east of E Washington Avenue.
54. The applicant shall install and maintain a concrete shelter pad surface - as part of the private landscape plan - opposite the bus stop zone that is on the south side of Milwaukee Street, east of E Washington Avenue (#1293). The applicant shall install and maintain a new passenger waiting shelter with seating amenity in this area, as part of the private landscape plan.
55. The applicant or contractor shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

**Please contact Ann Freiwald of the Parks Division at 243-2848 if you have any questions regarding the following item:**

56. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 15141 when contacting Parks Division staff about this project.

**Please contact Brad Hoffman of the Streets Division–Forestry Section at 267-4980 if you have any questions regarding the following three (3) items:**

57. 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 prior to the approval of the site plan.
58. 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*. 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 district alder of the change in the tree plan.

59. 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](mailto:bhofmann@cityofmadison.com) or 266-4816. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.

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

60. Provide screening around the rooftop mechanical equipment units.
61. Reconsider the representation of the “Nexus” sign and how it could be modified to look less like the Red Cross.

**Please contact my office at 261-9632 if you have questions about the following three (3) items:**

62. The E Washington Avenue entrances into the first floor commercial spaces in the western wing of the proposed building shall be unlocked and operable during business hours. Operable doors into those spaces from the parking area and plaza are also encouraged.
63. No off-street loading space is shown on the plans. In lieu of an off-street loading space, the applicant shall submit a commercial delivery plan and residential move-in/move-out plan for approval by the City Traffic Engineer prior to final approval of the project and issuance of building permits for the project.
64. The applicant may submit a zoning text specific to this project for review and approval by the Planning Division and Zoning Administrator prior to recording or note that this project is subject to the zoning text approved with the Union Corners General Development Plan.

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

**Please now follow the procedures listed below for obtaining permits for your project:**

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to [Zoning@cityofmadison.com](mailto:Zoning@cityofmadison.com). (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are

submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.

3. 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.
4. This Planned Development approval shall expire five (5) years after the date of the Plan Commission approval. 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.
5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may approve minor alterations that are approved by the Director of Planning and Community and Economic Development following consideration by the alderperson of the district, and which are compatible with the concept approved by the Common Council.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

*Timothy M Parks*

Timothy M. Parks  
Planner

cc: Brenda Stanley, City Engineering Division  
Jeff Quamme, City Engineering Division  
Sean Malloy, Traffic Engineering Division  
Jenny Kirchgatter, Asst. Zoning Administrator  
Jeff Belshaw, Madison Water Utility  
Ann Freiwald, Parks Division  
Brad Hofmann, Forestry Section  
Janine Glaeser, Urban Design Commission  
Bill Sullivan, Madison Fire Department

LNDUSE-2020-00017			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Forestry Section
<input checked="" type="checkbox"/>	Water Utility	<input checked="" type="checkbox"/>	Other: Metro Transit