



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

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

June 11, 2020

Doug Hursh
Potter Lawson, Inc.
749 University Row, Suite 300
Madison, Wisconsin 53705

RE: Consideration of a conditional use in the Traditional Employment (TE) District for a building exceeding 68 feet in height; consideration of a conditional use for a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking, and; consideration of a major alteration to a conditional use-planned multi-use site containing a hotel, all to allow the construction of a five-story, approximately 92,000 square-foot office building in a planned multi-use site containing a 144-room hotel and an approved 11-story, approximately 252,600 square-foot office building with shared 680-stall parking structure (Archipelago Village, LLC). (LNDUSE-2020-00041; ID 60003)

Dear Mr. Hursh;

On June 8, 2020, the Plan Commission found the standards met and **approved** your conditional use requests for 902-908 E Main Street. Prior to issuance of building permits for the project, the conditions of approval in the following sections shall be satisfied:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following twenty (20) items:

1. The applicant shall provide projected wastewater calculations for the proposed development. The City sanitary sewer on S Paterson Street is undersized. The applicant may need to replace the sewer in the 100-block of S Paterson Street in order to connect the new building to it (current plan shows connecting to E Main Street), with a developer agreement.
2. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. 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. Note: Obtaining a developer's agreement generally takes approximately 4-6 weeks, minimum.
3. Construct sidewalk to a plan approved by the City Engineer.
4. 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.

5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
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 less than one (1) acre of land. No submittal to the Wisconsin Department of Natural Resources (WDNR), Capital Area Regional Planning Commission (CARPC) or the Wisconsin Department of Safety and Professional Services (DSPS) is required, as the City of Madison Building Inspection Division is an approved agent for DSPS.
10. 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.
11. The area adjacent to this development is subject to backwater flooding from Lake Monona. Minimum entrance elevations for ramps to underground parking and to entrances shall be set at elevation 852.00. Structure exposed below this elevation shall be constructed of water resistant materials such as concrete or brick.
12. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
13. The applicant shall demonstrate compliance with Sections 37.07 and 37.08 of 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.
14. 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.
15. 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 the City Engineering Division at 266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

16. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
17. Prior to approval, this project shall comply with Chapter 37 of 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 Stormwater Management Permit application can be found on City Engineering's website. 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.

Rate Control: This site shall reduce the peak discharge from the 10-year event by 15% compared to existing conditions and shall reduce peak volume discharged during the 10-year event by 5% compared to existing conditions.

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

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.

18. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
19. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).
20. This proposed condominium unit is dependent on other units within the condominium for stormwater management. Common stormwater management shall be addressed in the required condominium amendment and shall be recorded prior to site plan sign-off.

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following four (4) items:

21. An Amendment to Archipelago Village Condominium Declaration and plat shall be recorded and the tax parcel information created by the City Assessor's Office prior to final sign-off. The amendment shall address the change in unit boundaries and all easements (common elements) necessary between the units for utilities, storm sewer and stormwater surface drainage, access between and through units, and any other common or reciprocal uses between the units. Also, address shared parking, pedestrian skywalk and fire lanes.
22. Remove the Outlot designation on the Credit Union parcel; it is not an outlot by legal property definition.
23. Clearly show and denote the unit boundaries of the condominium units to be re-defined with the required condominium amendment.
24. Submit a Floor Plan 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 interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following fifteen (15) items:

25. Note: The applicant has submitted the requested Traffic Impact Analysis study; the study has been reviewed and accepted by Traffic Engineering.
26. The applicant shall continue to work with the Traffic Engineering Division on finalizing their Traffic Demand Management Plan (TDMP), which is intended to be a continuing conversation between this development and the City with the mutually beneficial goal of reaching a reduction in single occupant vehicle trips. A critical component to understanding which TDMP measure(s) are not only successful but economically sustainable is the collection of data on those measures. As such, the applicant shall perform an engineering study and mode share survey, on an annual basis, for a minimum of five years (after which the frequency may be reduced by Traffic Engineering to a frequency of no less than every four years); approval of methodology to be approved by the City Traffic Engineer. The TDMP shall be approved prior to signoff.
27. The applicant shall be financially responsible for the installation of pedestrian level lighting on the E Main Street and S Paterson Street frontages of their property.

28. 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.
29. 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.
30. 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.
31. All parking facility design shall conform to the standards in MGO Section 10.08(6).
32. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
33. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
34. 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.
35. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
36. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4766) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

37. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
38. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.
39. The applicant shall install, or provide an executed copy of a cross-access agreement, a physical barrier of substantial material and construction to prevent vehicular movements onto and off of adjacent sites.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following three (3) items:

40. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 46 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5)-foot wide access area. The access aisle must not be obstructed by vehicles, columns or other structures. Provide a detail of the proposed bike racks.
41. Note: Depending on future use, the additional tenant spaces may require conditional use approval.
42. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of MGO and Chapter 33 Urban Design District 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 three (3) items:

43. Provide a thorough fire access plan that clearly defines all fire access lanes on the site and the desire to use any public streets. Include the width of the fire access lanes and where the design team is proposing aerial access lanes.
44. Provide potential corridor locations that would connect the exit stairs that would allow multi-tenant occupancy of floors. The design team shall address this possibility now in order to avoid the issues created at WHEDA's W Washington address.
45. Ensure photovoltaic panel locations and required access comply with the International Fire Code.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following three (3) items:

46. This property is in a Wellhead Protection District–Zone (WP-24). The owner/applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Adam Wiederhoeft at awiederhoeft@madisonwater.org for additional information, including a summary of the submittal requirements.
47. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential un-abandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR-812 and MGO Section 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.
48. 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 and 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 Brad Hoffman of the Streets Division–Forestry Section at 267-4980 if you have any questions regarding the following eight (8) items:

49. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
50. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within whose district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.

51. As defined by the Section 107.13 of the *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the contractor shall contact City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
52. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or belowground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
53. Section 107.13(g) of the *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
54. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
55. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
56. Additional street trees are needed for this project. Tree planting specifications can be found in Section 209 of the *City of Madison Standard Specifications for Public Works Construction*. All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: "At least one week prior to street tree planting, the contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper."

Please contact my office at 261-9632 if you have questions about the following two (2) items:

57. The applicant shall receive final approval of the Transportation Demand Management Plan by the City Traffic Engineer and Director of the Planning Division prior to approval of final plans and issuance of building permits. The final TDMP shall include an updated inventory of uses and building data for the first three phases of the project.

58. Note: Approval of the revised hotel parking plan for 901 E. Washington Avenue and office and parking building at 929 E. Washington Avenue shall not constitute approval of nor support for any additional construction on the block as conceptually shown in some of the exhibits and referenced in the letter of intent with the current application materials. Approval of any additional development on the subject block shall require future approvals by the Urban Design Commission and Plan Commission.

Please contact Janine Glaeser, Urban Design Commission Secretary, at 267-8740 if you have any questions regarding the Urban Design Commission's approval of the project.

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. (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. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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

Sincerely,

Timothy M Parks

Timothy M. Parks
 Planner

cc: Brenda Stanley, City Engineering Division
 Jeff Quamme, City Engineering Division
 Sean Malloy, Traffic Engineering Division
 Jacob Moskowitz, Asst. Zoning Administrator
 Adam Wiederhoeft, Madison Water Utility
 Brad Hofmann, Forestry Section
 Janine Glaeser, Urban Design Commission
 Bill Sullivan, Madison Fire Department

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

LNDUSE-2020-00041			
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 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 type="checkbox"/>	Other: