



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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October 19, 2021

David Ewanowski  
KEE Architecture Inc.  
3220 Syene Rd #200  
Madison, WI 53713

RE: Legistar #67274; Accela 'LNDUSE-2021-00087' -- Approval of a demolition permit at 8033-8101 Excelsior Drive

Dear David:

At its October 18 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your demolition permit to raze an office building at **8033-8101 Excelsior Drive**. In order to receive final approval of the demolition permit and for any other permits that may need to be issued for your project, the following conditions shall be met:

**Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following nine (9) items:**

1. 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).
2. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
3. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. 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.
5. Provide elevations with glass detail consistent with Sec. 28.129 Bird-Safe Glass Requirements.
6. Provide at least 10% EV ready parking stalls and 1% EV installed parking stalls.
7. Required loading facilities shall comply with MGO Section 28.141(13). Provide 2 10' x 50' loading areas with 14' vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through

conditional use approval.

8. Provide a detail of the proposed bicycle parking facility.
9. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

**Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following fifteen (15) items:**

10. Applicant shall confirm existing lateral size into property. City has conflicting information in records. Lateral may be 4" or 8". If lateral is 4", applicant shall either downsize building lateral connection to 4" or plan for lateral replacement into the Excelsior Drive
11. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO 10.08)
12. 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))
13. 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. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
14. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
15. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
16. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
17. 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>. 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.

18. Revise the site plan 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)
19. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
20. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" 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.  
Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances 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. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>  
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, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)  
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 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing. 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.
21. 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 Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.  
The Storm Water Management Plan & 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))
22. This area is considered both redevelopment and new development. In the redevelopment portion of the site, if the proposed impervious cover that exceeds 80% of the existing site impervious cover, the site shall meet the following requirements:  
Peak Runoff shall be reduced by 15% compared to existing conditions during the 10-year design storm.  
Run-off volume shall be reduced by 5% compared to the existing conditions during a 10-yr design

storm.

Green infrastructure shall be required for rate and volume reductions for at least the first 1/2 inch of rainfall.

Rate Control: Detain the difference from the 100-200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

In areas that can be deemed as new development, provide the following for TSS: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

In areas that can be deemed as redevelopment with TMD, provide the following for TSS: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 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 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 Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

**Please contact Eric Pederson of the City Engineering Division – Mapping Section at (608) 266-4056 if you have any questions regarding the following two (2) items:**

25. The concurrent Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction. This Certified Survey Map will also dissolve the underlying lot line.
26. Revise plans to clearly indicate the existing 15ft wide jogging trail currently shown along the common line between platted lots 9 and 10, per Doc 2103265, be revised to depict that it is a private (not public) jogging trail and easement. Owner/applicant shall proceed as necessary to either relocate/remove/release this private jogging trail easement to allow for proposed construction across such.

**Please contact Bill Sullivan of the Fire Department at (608) 866-4691 if you have any questions regarding the following one (1) item:**

27. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at [pripp@cityofmadison.com](mailto:pripp@cityofmadison.com) or (608)712-6277.

**Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following four (4) items:**

28. This property is in a Wellhead Protection District–Zone (WP-28). 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 Jeff Belshaw at [jbelshaw@madisonwater.org](mailto:jbelshaw@madisonwater.org) for additional information, including a summary of the submittal requirements.
29. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two 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 Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
30. 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.
31. 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.

**Please contact Wayne Buckley of the Forestry Division at (608) 266-4892 if you have any questions regarding the following eight (8) items:**

32. Damaging Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. 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 below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
33. Excavation As defined by the Section 107.13 of 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 Madison 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.
34. Protection 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.

35. Pruning 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.
36. Soil Section 107.13(g) of 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.
37. Street 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 who's 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.
38. Tree 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.
39. Tree City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). Add as a note on the plan set.

**Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following four (4) item:**

40. The applicant shall identify an accessible pedestrian connection between the building entrance(s) and the existing public sidewalk along the 8033-8101 Excelsior Drive frontage as well as an accessible pedestrian connection crossing to the adjoining property to the west (8413/8417 Excelsior Drive) generally parallel to the proposed motor vehicle connection between the parking lots of these adjoining parcels.
41. In coordination with any public works improvements, the applicant shall maintain or replace/expand the concrete boarding pad surface at the existing Metro bus stop on the west side of Excelsior Drive, adjacent the 8101 Excelsior Drive frontage (#6796).
42. The applicant shall include the location of these facilities on the final documents filed with their permit application, so that Metro Transit may review and effectively plan for City transit access to this and adjoining properties.
43. Metro Transit operates daily all-day transit service along Excelsior Drive, adjacent this property. Bus stop ID #6796 is on the west side of Excelsior Drive, near the south edge of the 8101 Excelsior Drive

frontage.

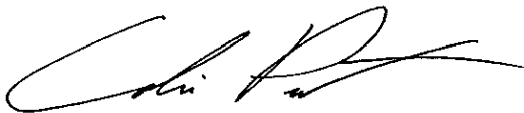
**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**Please now follow the procedures listed below for obtaining your demolition permit:**

1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** 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 to the Zoning Administrator at [zoning@cityofmadison.com](mailto:zoning@cityofmadison.com). (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email [zoning@cityofmadison.com](mailto:zoning@cityofmadison.com) regarding questions or if you need alternative filing options) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
3. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit 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.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0455.

Sincerely,



Colin Punt  
 Planner

- cc: Jacob Moskowitz, Asst. Zoning Administrator  
 Tim Troester, City Engineering Division  
 Eric Pederson, City Engineering Division – Mapping  
 Bill Sullivan, Fire Department  
 Jeff Belshaw, Water Utility  
 Wayne Buckley, Forestry Division  
 Tim Sobota, Metro Transit  
 Bryan Johnson, Streets Division

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

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*Signature of Applicant*

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*Signature of Property Owner (if not the applicant)*

LNDUSE-2021-00087			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<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 type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry