



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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October 3, 2007

Nathan Novak  
JJR, LLC  
625 Williamson Street  
Madison, Wisconsin 53703

RE: Approval of a request to rezone 333 W. Washington Avenue from Planned Unit Development, General Development Plan, Specific Implementation Plan (PUD-GDP-SIP) to Amended Planned Unit Development, General Development Plan (PUD-GDP) to allow future construction of an 11-story, 151-room hotel. (LodgeWorks)

Dear Mr. Novak:

At its October 2, 2007 meeting, the Common Council **conditionally approved** your client's application to amend the Capitol West General Development Plan to allow construction of a 151-room hotel at 333 W. Washington Avenue. The following conditions of approval shall be satisfied prior to final approval and recording of the amended planned unit development:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty (20) items:**

1. The location of the guest drop-off should be outside the public right of way. Coordinate with City Engineering and City Traffic Engineering.
2. The applicant shall obtain a Privilege in Streets Agreement for the passenger drop-off and any other encroachments into the right of way.
3. There is inadequate sanitary sewer capacity within the adjacent sewer on W. Washington Avenue. The applicant shall either:
  - a) enter into a developer agreement to extend sewer up W. Washington Avenue from Broom Street;
  - b) provide a design for an alternate connection point with existing sewer capacity.
4. If sanitary sewer on lot being developed is to be public, developer shall enter into a developer agreement with the City for sanitary sewer improvements. If sanitary sewer is to be private, developer shall provide recorded private sanitary sewer ownership/maintenance agreement for all benefiting buildings.
5. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer 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. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.

6. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. The approval of this project 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. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
8. 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.
9. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
10. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
11. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
12. 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.
13. 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 7.5-tons per acre per year.
14. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the Wisconsin Department of Natural Resources is required.
15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle).
16. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal

can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.

17. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
18. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc. and; sediment loading calculations. 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.
19. Prior to approval of the project, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
20. 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.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following six items:**

21. The applicant should locate the W. Washington Avenue proposed drop-off onsite, so as not to impact W. Washington Ave at all. The applicant shall not improve the terrace as proposed unless City of Madison Real Estate Division approves encroachment prior to plans being submitted for approval. The applicant should contact City Real Estate if you have questions. Whatever design and location is approved shall be reviewed and approved by the Traffic Engineer.
22. The developer shall pay their proportional share for the cost of modifying the pedestrian refuge islands located at W. Washington Avenue and Henry Street. [The Plan Commission modified this condition.]
23. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
24. All directional/regulatory signage and pavement markings shall be shown and noted on the plan.
25. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
26. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following three items:**

27. Per IFC 509.1, where a fire command center is provided, a plan submittal of the location and accessibility shall be provided to the department for approval. Please note: A fire department permit and plan review is required of the layout of the fire command center and all features required by section 911.1 IBC/ IFC 509.1 to be contained therein and shall be submitted for approval prior to installation.
28. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
  - a.) The site plans shall clearly identify the location of all fire lanes.
  - b.) Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
  - c.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
29. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

**Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions regarding the following six items:**

30. Meet applicable building codes and setbacks per State requirements. Meet applicable accessible building and accessible parking requirements per State requirements.
31. Meet with Zoning and Planning regarding the zoning text, to resolve issues including but not limited to shared bicycle parking facilities, shared loading facilities, and projected employee counts for the hotel use. Receive approval from zoning and planning of the zoning text prior to submitting final plans.
32. Show the maximum height on the elevation of the building elevation per City Datum. The building shall not exceed 187.2 City Datum. Include the height of the stair towers, roof deck, fence and mechanical enclosure within the capital view height limitation. Any feature projecting above the 187.2 City Datum must be identified and approved as part of the SIP review.
33. Provide two (10' x 35') loading areas with 14' vertical clearance for the 150,000 sq. ft. hotel use. The loading area shall be exclusive of drive aisle and maneuvering space. If the loading areas cannot be provided, request and obtain approval of the Plan Commission to specifically waive this requirement or it will need to be provided at SIP stage.
34. Provide bicycle parking stalls in the amount of 1 per 20 employees in the hotel. These stalls must be located in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bicycle parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
35. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards.

**Please contact my office at 261-9632 if you have questions about the following nine items, including the conditions of approval added by Plan Commission and Common Council:**

36. That the developer submit a detailed parking plan for the proposed hotel as part of the specific implementation plan for the hotel. The parking plan shall identify the number of full-time and part-time/shared parking spaces that will be allocated in the Capitol West development for the proposed hotel as well as the conditions of availability for the part-time/shared stalls (hours of availability, etc.). Sufficient parking shall be provided in the plan so as to prevent parking from the hotel and larger Capitol West development from spilling into surrounding neighborhoods. The hotel parking plan will be reviewed by the Planning Division, Zoning Administrator and Traffic Engineering Division prior to the review of the specific implementation plan for the hotel by the Plan Commission.
37. That the development plans for the hotel specify whether the three second-floor meeting rooms are for hotel guest use, the general public or both, as this may have an affect on the hotel parking plan in condition #2 above.
38. That the developer receive all necessary approvals for the encroachment of the hotel drop-off area into the W. Washington Avenue terrace as part of any specific implementation plan for the hotel. Final approval of any terrace encroachments shall be subject to Common Council approval.
39. Should the drop-off area be approved as presented, that, the W. Washington Avenue sidewalk be widened to a minimum of ten feet in width to provide sufficient space for hotel guest maneuvering without impeding pedestrian flow on the public sidewalk, including a 2-5 foot wide pedestrian safety zone be provided between the public sidewalk and the curb of the drop-off lane as recommended by the Urban Design Commission. The widened sidewalk and pedestrian safety zone shall be designed so as to not extend further into the W. Washington Avenue terrace. The applicant shall dedicate a permanent public sidewalk easement to the City for the additional sidewalk width outside the right of way.
40. That the general development plan set include a drawing depicting the revised phasing schedule per the letter of intent and zoning text.
41. That construction of the pedestrian bridge across Washington Place occur in Phase 3 of the Planned Unit Development, with details for the future bridge to be provided as part of the specific implementation plan for the subject hotel.
42. That the new trees planted in the W. Washington Avenue right of way be canopy trees approved by the City Forester.
43. That a curb be provided between the sidewalk and hotel drop-off area as part of the Board of Public Works review of improvements in the right of way.
44. That the design details for the hotel pickup and drop-off area within the right of way shall be addressed as part of the specific implementation plan and privilege in streets process.

**It was understood that the building footprint for the hotel will be based on the design shown on the "Sidewalk Shift" alternative presented to the Plan Commission and Common Council.**

Approval of this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

After the plans have been changed as per the above conditions, please file **eight (8) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of 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.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. 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.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Matt Tucker, Zoning Administrator  
Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
Scott Strassburg, Madison Fire Department

For Official Use Only, Re: Final GDP Routing			
<input checked="" type="checkbox"/>	Planning Division (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division (Park fees)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: