

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of August 13, 2008**

**RE: LD. # 11413, Conditional Use Application – 822-844 John Nolen Drive**

1. Requested Action: Approval of a conditional use planned commercial site to allow construction of a 136-room hotel and a restaurant with outdoor eating area at 822-844 John Nolen Drive.
2. Applicable Regulations: Section 28.04 (24) identifies a planned commercial site containing more than 40,000 square feet of gross floor area and where 25,000 square feet of gross floor area is designed or intended for retail use or for hotel or motel use as a conditional use. The same uses are included as conditional uses in C3L zoning in Section 28.09 (6)(d), which also includes outdoor eating areas as conditional uses. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property Owner: Jay P. Supple, Supple Group; 1621 Congress Avenue; Oshkosh.  
  
Agent: Christopher Thiel, Schreiber Anderson Associates; 717 John Nolen Drive; Madison.
2. Development Schedule: The applicant wishes to begin construction as soon as all necessary approvals have been obtained. Completion is anticipated next year.
3. Location: Approximately 4.23 acres located at 822-844 John Nolen Drive; Aldermanic District 14; Urban Design District 1; Madison Metropolitan School District.
4. Existing Conditions: Undeveloped land, zoned C3L (Commercial Service & Distribution District).
5. Proposed Land Use: A six-story, 136-room loft Hotel and one-story Fratello's Waterfront Restaurant & Brewery with outdoor seating area.
6. Surrounding Land Use and Zoning:  
North: Holiday Inn Express Hotel, Pertzborn Plumbing and Sheraton Hotel, zoned C3L (Commercial Service & Distribution District);  
  
South: Multi-tenant commercial/ office buildings, zoned C3L;

West: Office uses across John Nolen Drive, zoned C3L and open space, zoned C (Conservancy District) and W (Wetlands District);

East: Wisconsin Southern Railroad and Lake Monona.

7. Adopted Land Use Plan: The Comprehensive Plan recommends the site and surrounding area for employment uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor, though corridor mapping indicates the presence of wetlands along the southern property line of the site. Staff will work with the applicant to confirm the presence of any wetlands on the property and modify the development accordingly.
9. Public Utilities & Services: The property is served by a full range of urban services.

#### **STANDARDS FOR REVIEW**

This application is subject to the conditional use standards of Section 28.12 (11). This conditional use was established to allow consideration of the potential impacts of the proposed conditional use on the transportation system and on the policy objectives for transportation and land use, including noise, air quality and appearance, with Urban Design Commission review of the design and appearance required of the last (this site is also in Urban Design District 1).

#### **PLAN REVIEW, EVALUATION & CONCLUSION**

The applicant is requesting conditional use approval to allow construction of a six-story, 136-room Aloft Hotel and one-story Fratello's Waterfront Restaurant & Brewery with outdoor seating area on a 4.23-acre site comprised of two parcels located at 822-844 John Nolen Drive south of Rimrock Road. The subject property is zoned C3L and is currently undeveloped. The proposed hotel and restaurant will be located amongst a number of mostly low-rise hotel and multi-tenant commercial/ office buildings on the east side of John Nolen Drive between Olin-Turville Park and the Beltline Highway (US 12-18). Lake Monona is located east of the site on the other side of an approximately 50-foot wide Wisconsin Southern Railroad right of way, which forms the eastern property line of the subject property. Additional commercial/ office uses are located west of the site across John Nolen Drive, with conservancy uses further to the west.

The site is relatively flat and is mostly devoid of vegetation, with the exception of scattered trees located along portions of the southern property line. A review of environmental corridor mapping related to the site showed an area of wetlands identified along the southern property line. However, no such wetlands are identified on the existing conditions plan included with the conditional use application or on the Certified Survey Map submitted for administrative approval by the applicant to combine the two-parcel site into one lot. Planning staff will work with the

applicant and staff from the Capital Area Regional Planning Commission to confirm the presence of wetlands on this property and modify the subject development plans and/ or environmental corridor maps as needed.

The proposed hotel and restaurant buildings will be situated on the northeasterly half of the site adjacent to the railroad right of way and Lake Monona in an effort by the applicant to take advantage of lake views. The remainder of the site will be developed with a 199-stall parking lot, with most of the surface parking to be located between the buildings and the John Nolen Drive frontage road. An additional 54 parking stalls will be located in an underground parking level below the proposed hotel, with an access to the basement parking along the southeasterly wall of the building. Two driveways to the frontage road are proposed.

The six-story Aloft Hotel will extend parallel to the property line adjacent to the railroad and lake and will occupy about two-thirds of that frontage. The first floor will include lobby reception functions, a bar and pantry, fitness facility and spa, and pool and patio, as well as hotel offices and housekeeping facilities. Twelve guest rooms will also be located on the first floor. A porte cochere will extend over a guest drop-off area along the southwesterly facade. The remaining 124 guest rooms will occupy the second through fifth floors. The sixth floor will consist of an enclosed rooftop patio bar in the northwesterly corner of the hotel with a capacity for 100 guests. The exterior of the hotel will be constructed with a combination of brick and metal paneling accented with colored bands integrated into the exterior materials. The porte cochere will be supported in part by an identification sign, with colored, up-lit strips on the underside of the roof.

The one-story Fratello's Restaurant will be located northwest of the hotel across a hard-scaped courtyard. The 10,653 square-foot restaurant will feature seating for approximately 300 guests in various inside seating areas, with seating for an additional 208 guests on an outdoor patio located along the length of the northeasterly wall facing Lake Monona. The restaurant will serve beers brewed on site in a brewhouse adjacent to the entrance and lobby. The building will feature a modern architectural aesthetic that incorporates a number of wall and roof projects, with an exterior composition consisting of masonry and cedar cladding with metal trim. A significant glass curtain wall is proposed to comprise most of the lakeside façade of the restaurant.

The applicant is proposing a 30-foot setback for both the restaurant and hotel adjacent to the railroad right of way, which conforms to the standard setback required for developments located adjacent to railroads and limited-access streets/highways. Regardless, staff recommends that an acknowledgement be placed on the plan that recognizes the presence of the existing active rail corridor, which has also been identified as a potential future commuter rail corridor.

A substantial landscaping plan has been submitted for the development that includes a dedicated pedestrian walkway to extend through the parking lot from the courtyard between the restaurant and hotel and connecting to the bike path parallel and adjacent to John Nolen Drive.

The site is located in Urban Design District 1, which requires the Urban Design Commission to approve any new development. The Urban Design Commission reviewed this project on July 23, 2008 and granted initial approval (see attached report). The project was scheduled to receive final approval on August 13, 2008.

The Planning Division believes that the standards for approval for conditional uses can be met with the proposed hotel/ restaurant development. The site is located along a corridor identified in the Comprehensive Plan for employment uses. In addition to the Alliant Energy Center on the west side of John Nolen Drive, the corridor is home to a variety of existing office and hospitality uses between the Beltline and E. Olin Avenue, including the nearby Holiday Inn Express and Sheraton Hotel. While the employment districts are primarily recommended for business and medical offices and research facilities and laboratories, the Comprehensive Plan identifies hotels and restaurants as complimentary uses within these corridors. Staff believes that both buildings are well designed and should result in a welcome addition to the John Nolen Drive corridor. The development proposed, including the restaurant outdoor eating area, should not have a negative impact on the surrounding area, which already includes similar hospitality uses nearby. Staff is not aware of any concerns by the Traffic Engineering Division that the uses proposed will have an adverse impact on the transportation network, which features two arterial roadways and the Beltline Highway as well as a regional bike path.

### **RECOMMENDATION**

The Planning Division recommends the Plan Commission find that the conditional use standards met and **approve** the construction of the hotel at 822-844 John Nolen Drive, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That a note be placed on the final plans acknowledging the presence of existing and future high levels of noise and vibration resulting from trains operating on the adjacent railroad right of way, including noise and vibration from possible future commuter rail services.
3. That the applicant work with the Planning Division and staff of the Capital Area Regional Planning Commission to confirm the presence of wetlands on this property and modify the subject development plans and/or environmental corridor maps as needed prior to final staff approval of the conditional use plans and the issuance of building permits.

City of Madison, Wisconsin

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<b>REPORT OF:</b> URBAN DESIGN COMMISSION	<b>PRESENTED:</b> August 13, 2008
<b>TITLE:</b> 822-844 John Nolen Drive - New Construction of a Hotel and a Restaurant in Urban Design District No. 1. 14th Ald. Dist. (10521)	<b>REFERRED:</b>
	<b>REREFERRED:</b>
	<b>REPORTED BACK:</b>
<b>AUTHOR:</b> Alan J. Martin, Secretary	<b>ADOPTED:</b>
	<b>POF:</b>
<b>DATED:</b> August 13, 2008	<b>ID NUMBER:</b>

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Members present were: Lou Host-Jablonski; Chair, Jay Ferm, Todd Barnett, Richard Slayton, Bruce Woods, Ald. Marsha Rummel, John Harrington and Ron Luskin.

**SUMMARY:**

At its meeting of August 13, 2008, the Urban Design Commission **GRANTED FINAL APPROVAL** for the construction of a new hotel and restaurant located at 822-844 John Nolen Drive, in Urban Design District No. 1. Appearing on behalf of the project were Chris Thiel, representing SAA, Scott Steffen, Rick Van Den Heuvel, and John Supple. Thiel reviewed the changes since the Commission last reviewed the project, clarifying that the horizontal banding on the hotel is recessed panels, not lighting as was previously shown. For the restaurant, Thiel stated that the parapet height increased, part of the roofline lowered, and windows were added at the corner.

**ACTION:**

On a motion by Woods, seconded by Slayton, the Urban Design Commission **GRANTED FINAL APPROVAL** for the construction of a new hotel and restaurant located at 822-844 John Nolen Drive, in Urban Design District No. 1, with the condition that both buildings utilize a white membrane on flat roof areas that will not be accessible to hotel patrons. The motion passed on a vote of (7-1) with Host-Jablonski voting no.

## AGENDA # 2

City of Madison, Wisconsin

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REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: July 9, 2008
TITLE: 822-844 John Nolen Drive – New Construction of a Hotel and a Restaurant in Urban Design District No. 1. 14 <sup>th</sup> Ald. Dist. (10521)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: July 9, 2008	ID NUMBER:

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Members present were: Lou Host-Jablonski, Richard Wagner, Bruce Woods, Marsha Rummel, Bonnie Cosgrove, Richard Slayton, John Harrington and Todd Barnett.

### SUMMARY:

At its meeting of July 9, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of new construction of a hotel and restaurant located at 822-844 John Nolen Drive. Appearing on behalf of the project were Christopher Thiel, SAA, Jay Supple, Aaron Ebent, representing Kahler Slater, and Stan Ramaker, representing Design II Ltd. Appearing neither in support nor opposition was Sally Stevens, representing Causeway Center Condominium Association. Prior to the presentation Ald. Bruer spoke in support of the project. The plans as presented emphasized the following:

- Modifications to the site plan including landscaping to address the Commission's previous comments.
- Details on an arrangement with adjoining property owners to provide for a shared parking arrangement with adjacent office/condominium development.
- The provision of additional bike racks for both buildings including an electric hookup for hybrid cars.
- The provision of screen fencing along the northerly boundary of the site as previously requested.
- A review of the material colors palette for both the hotel and restaurant.

Following the presentation the Commission noted the following:

- Concern with parking stalls adjacent to walkway from streets in front of buildings; put trees on both sides of walkway even if you lose adjacent parking stalls. In addition, provide a list of proposed ground covers.
- Applaud shared parking arrangement with adjoining neighbors.
- There doesn't appear to be enough integration between the two buildings, need more space between.
- Need to provide areas for more people not in rooms of the hotel.
- Relook at landscaping around stormwater area and at street frontage.
- Hotel building is extremely boring with mostly a masonry mass; need more end treatment to be integrated into the façade, in addition to roof covering to be more functional and cover more area of the upper roof patio.
- Building needs more interest across full façade.

- Need to be able to see buildings from other viewpoints (hotel).
- Renderings should be of actual building as proposed consistent with elevations.
- Provide a view of both the hotel and restaurant buildings from the off-ramp at John Nolen Drive for context.
- Put the “Lombardi Poplar” that are in the plan in the elevations to determine their impact.
- Trees in islands should be larger shade trees around the center aisle entry.
- Consider moving main entry to interior courtyard space.
- Need to provide a better more functional integration between the two buildings in the courtyard area.
- Need to see how buildings meet ground and how openings on buildings relate to the interior courtyard space.
- Courtyard as designed is OK as a passage in for bike parking but need to allow for views into the space and from buildings.

**ACTION:**

On a motion by Cosgrove, seconded by Harrington, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a vote of (7-1) with Host-Jablonski voting no. The motion required address of the above stated concerns relevant to providing tree landscaping adjacent to the walkway within the surface parking area, understory plantings in tree island such as grand covers with expanded details on how they relate to the main drive aisle approach.

- Bring infill vegetation up to and into the interior patio courtyard; get rid of the formal aspect.
- Provide more details on the sweep and architecture of the upper roof canopy and the hotel’s corner.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 4, 5, 6, 6, 6 and 6.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 822-844 John Nolen Drive

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	7	7	6	-	6	6	6	6
	7	7.5	6	-	-	6	7	-
	-	-	-	-	-	-	-	4
	-	-	-	-	-	-	-	5
	6	5	5	-	-	5	-	-
	5	6	5	-	-	5	6	6
	7	6	6	-	-	6	6	6
	6	5	5	-	-	6	-	6

General Comments:

- Handsome duo. Like “rendering” prototype – incorporate in actual site plan the swoops, corner elements, symmetric windows. Utilize lake views and outdoor space for hotel. Space between buildings.
- Middle ground between buildings doesn’t work yet.
- At this important lakeside location, I’d hope for a...
- Lots of potential. This project will be a major asset to area. Tweak the landscape to create a stronger entrance corridor. Shading of parking.
- Great project, but we do need more detail, especially with respect to the hotel. It’s a good thing for Madison to make greater use of the lake.





Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
1 866 704 2315 Textnet

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dalley, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.


**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Manager**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

**Financial Officer**  
Steven B. Danner-Rivers

DATE: July 23, 2008  
TO: Plan Commission  
FROM:  Larry D. Nelson, P.E., City Engineer  
SUBJECT: 822-844 John Nolen Drive Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The following are the approved addresses for this site:  
Hotel = 844 John Nolen Drive and Restaurant = 822 John Nolen Drive
2. Cover page has misspelled John Nolen Drive.
3. Any damage to the street pavement will require restoration in accordance with the City's patching Criteria.
4. The conditions for the CSM shall be satisfied including the execution of a development agreement for the installation of sidewalk.
5. Proposed restaurant and brewery shall construct a sampling manhole to allow for the sampling of sanitary effluent for possible surcharge billing.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments  
and Conditional Use Applications.**

Name: 822-844 John Nolen Drive Conditional Use

**General**

- 1.1 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

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prior to the City Engineer signing off on this project.

- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 Submit a PDF of all floor plans to Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:
  - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
  - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
    - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
    - b) All information shall transmitted to Janet Dailey by e-mail at [jdailey@cityofmadison.com](mailto:jdailey@cityofmadison.com), or on a CD to:
 

Janet Dailey  
City of Madison Engineering Division  
210 Martin Luther King Jr. Blvd  
Room 115  
Madison, WI 53703
    - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

**LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.**

**Right of Way / Easements**

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_,
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.

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- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
  - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
  - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
  - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

## Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along John Nolen Drive Service Road.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along \_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_.
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_.
- 3.10 The approval of this Conditional Use 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.
- 3.11 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.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which 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.
- 3.13 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.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City

### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 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.
- 4.3 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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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 WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle) off of new paved surfaces
  - Control 80% TSS (5 micron particle) off of new paved surfaces
  - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.
  - Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website -- as required by Chapter 37 of the Madison General Ordinances.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-Way lines (public and private)
  - f) All Underlying Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words "unplatted"
  - h) Lot/Plat dimensions
  - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) 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.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

#### Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

#### Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 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.



## Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608 266 4761  
TTY 866-704-2315  
FAX 608 267 1158

July 24, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **822 to 844 John Nolen Drive – Conditional Use – Hotel / Restaurant**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The applicant shall note on the site plans, "All work in the Right-of-Way requires the Board of Public Works approval, not part of the Condition Use approval."

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. 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), adjacent driveway approaches to lots on either side and 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" = 30'.
4. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
5. The applicant shall design the surface or underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "One Size Fits All" stall could be used for the underground parking area only,



which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.

6. Per ordinance, the small car stalls shall not exceed 25% of the total number of Medium and Large Vehicles and Small Vehicles stalls for the facility. The site plan shall show small car parking spaces identified and properly controlled with a sign "Small Cars Only" per each space, when plans are submitted for approval.
7. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
8. 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.
9. 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 John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Christopher Thiel  
Fax: 255-7750  
Email: [cthiel@saa-madison.com](mailto:cthiel@saa-madison.com)

DCD: DJM: dm



# CITY OF MADISON FIRE DEPARTMENT

## Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295  
Phone: 608-266-4484 • FAX: 608-267-1153

DATE: July 23, 2008  
TO: Plan Commission  
FROM: Edwin J. Ruckriegel, Fire Marshal  
SUBJECT: **822-844 John Nolen Drive**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  - a. 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. Site plan does not appear to provide this requirement.

## **GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

2. 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.
3. 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. A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of a fire lane that is more than 150-feet in length.
  - c. Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
  - d. Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 80,000 lbs.
  - e. Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28-feet.
  - f. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan