



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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May 13, 2008

Robert J. Sieger
Wisconsin Avenue Associates/ Sieger Architects
1501 Monroe Street
Madison, Wisconsin 53711

RE: Approval of a demolition permit to allow demolition of two commercial buildings and the construction of a four-story, 48-room hotel.

Dear Mr. Sieger:

The Plan Commission, meeting in regular session on May 5, 2008 determined that the ordinance standards could be met and **approved** your request for a demolition permit to allow two commercial buildings located at 1501-09 Monroe Street to be razed and a hotel to be constructed, subject to the conditions below. In order to receive final approval of the demolition permit, the following conditions must be met:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-five (25) items:

1. Engineering Division requests the applicant/owner submit to the City of Madison, for review, approval and recording, a Certified Survey Map compilation of all encumbered lands for this proposed hotel development.
2. The site plans shall be revised to show the location of all rain gutter down spout discharges. Show downspouts and how they shall be connected to the public storm sewer system.
3. The developer shall note that no construction or disturbance within the public right of way shall be permitted without a Development Agreement with the City of Madison. The developer is encouraged to meet with City staff to develop a schedule for public improvements required for the proposed building on this site.
4. 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.
5. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
6. 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.

7. 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.
8. 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.
9. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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. A City licensed contractor shall perform all work in the public right-of-way.
11. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree-planting plan (in PDF format) to Dean Kahl, of the City Parks Division at dkahl@cityofmadison.com or 266-4816.
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) off of new paved surfaces and 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.
16. 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.
17. 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. 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.

18. 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).
19. 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.
20. 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.
21. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
22. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
23. 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.

The applications for the permits in Items #19-22 are available online at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

24. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
25. 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 regarding the following eleven items:

26. In the past several staff reports to the Plan Commission, staff have noted the applicant's traffic study is reasonably accurate and complete, however:
 - a.) Staff cautions that the traffic numbers noted in the report have a range, with a resultant impact on level of service and traffic impacts.

- b.) The applicant's estimated traffic numbers show that the new development could represent a decrease from existing uses, as the proposal is for a less intense use.
 - c.) However, staff cautions the actual number of trips could be about the same amount of existing traffic as the current use is not fully occupied or realizing its full potential of trips.
 - d.) Given a more fully occupied or successful site, actual traffic numbers could be about the same as existing traffic, with potentially more in the p.m. peak hour.
 - e.) Previous traffic studies have found traffic level of service issues at the alley's intersection with Regent St during the p.m. peak hour, using existing traffic conditions.
 - f.) Several options are suggested for the Plan Commission and Common Council to consider in order to provide for more adequate measures for traffic and ingress/egress (noted below).
 - g.) To minimize traffic in the neighborhood; to better accommodate any new re-development of the property; and to provide two-way bicycle access to Monroe Street and the Southwest Bike Path, it is recommended to change Oakland Ave to two-way traffic where it is currently one-way into the neighborhood (Monroe St to Madison St). The Council would have to approve this as an ordinance change. Using Oakland Avenue more than today would better support any development on the block because it provides an alternative to the alley's intersection with Regent St.
 - h.) To address any potential traffic impacts on the surrounding neighborhood streets, the applicant shall provide a deposit of \$20,000 for traffic calming. Said monies shall be used at locations to be determined by the City and implemented under the City's traffic calming program, policies and procedures.
27. Any accessory parking for the University of Wisconsin special events are subject to approval. The subject is conditionally approved provided the subject accessory parking is used, managed and operated in accordance with the City-approved Stadium/ Kohl Center Transportation Management Plan (TMP). The applicant should contact the UW Athletic Dept. The applicant should provide a letter of approval from the UW Athletic Dept. about management and operating the accessory parking. If the applicant is proposing any special events activities, these activities should be submitted with this project for conditions of approval.
28. The applicant shall enter into a subdivision contract or developer's agreement to accommodate any street improvements proposed in the right of way. The applicant shall note on the site plans, "All proposed improvement in the right-of-way is require approval of the Board of Public Works."
29. The attached traffic signal and streetlight declaration of conditions and covenants shall be executed and returned to City Traffic Engineering.
30. The applicant shall indicate the type of bicycle racks to be installed both inside and outside.
31. 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" = 20'.
32. When site plans are submitted for approval, the developer shall provide recorded copies of the lease parking area across the alley and the parking shall be dimensioned according to MGO for design parking, if the parking is part of the project. If the area parking is not part of the project the applicant shall remove the parking from site plans.

33. The ramp down to the underground parking and its percent of slope shall be designed to accommodate low-clearance vehicles for a transition. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 10 % that can be blended satisfactorily with an 8-foot transition length.
34. The applicant shall modify the Sub Alley Level 1 parking area as noted: 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 applicant shall eliminate one stall shall be modified to provide a turn around area and signed "No Parking Anytime." The applicant should consider parking space number 8 for turn around space.
35. 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.
36. 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 Matt Tucker, Zoning Administrator, at 266-4551 if you have any questions regarding the following seven items:

37. The submitted plans reflect that the proposal is three (3) parking spaces in excess of the minimum parking requirement. The increase in provided parking for the hotel use is within the maximums identified in the ordinance, however, be advised, Sec. 28.09(2)(d) 20. identifies non-accessory parking garages as a **Conditional Use**. Should excess parking be proposed for lease or rent, conditional use approval is required before excess parking may be leased or rented. Staff recommends that no parking space be leased or rented within this development.
38. The submitted plans and specification show the building to provide 39,857 square feet of qualifying floor area. Therefore the development is classified as a **Permitted Use** in the C2/C3 zoning districts. The inclusion of any additional areas of the development for principal or accessory use will result in the project exceeding the 40,000 square-foot threshold, which would classify the hotel as a **Conditional Use** in the C2/C3 zoning districts.
39. The submitted plans show an *exterior open air covered entry* proposed along the Monroe Street frontage of the site. The plans do not show any proposed use for this area, other than as an entrance space. However, the submitted elevations reflect discrepancies with the first floor plans, in that additional doors between the hotel lobby and lobby lounge are shown on the elevation drawings but these doors do not show up on the floor plans. One could reasonably determine that the doors imply some sort of relationship between the inside of the hotel and the *exterior open air covered entry*, which will most likely be use by hotel guests as an accessory use. The use of this area for principal or accessory use, including outdoor eating and drinking areas associated with the hotel, will result in the project exceeding the 40,000 square-foot threshold, which would classify the hotel as a *Conditional Use* in the C2/C3 zoning districts. Also, the *exterior open air covered entry*, parking lot facilities, or any other area on the site may not be used for outdoor eating/drinking or in support of non-accessory uses associated with events taking place at Camp Randall, unless approved as a **Conditional Use**.

40. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards.
41. One (1) bicycle-parking stall must be provided per twenty (20) hotel employees, with the minimum number of required bicycle stalls being two (2). Please provide employee counts to be used in calculating bicycle parking requirement.
42. The proposed signage placed in the upper architectural feature (above the roof) is not permitted. The Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. The Zoning Section of the Department of Planning and Community and Economic Development issues signage permits.
43. The site shares a zoning district boundary with a residential development to the east. This development must provide effective 6' – 8' high screening along the lot line of this commercial district adjoining a residential zoning district.

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

44. 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 fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
 - d.) Provide a fire lane with the minimum clear unobstructed width of 20 feet.
45. 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 my office at 261-9632 if you have questions regarding the following six items, including the three conditions added by the Plan Commission:

46. That the plans be revised per Planning Division approval as follows:
 - a.) accurately label and note the number of parking spaces that will serve the hotel;
 - b.) show the location of all air intakes on the building elevations, including openings for room-based climate control equipment;
 - c.) clearly identify all unexcavated areas proposed;
 - d.) show screening and noise attenuation for any rooftop mechanical equipment proposed;
 - e.) show the height above the grade of Monroe Street as 46.5 feet on Sheet A4.3;
 - f.) clarify the scope of services and intended users of the lounge, conference rooms and spa;
 - g.) reflect all of the proposed wall openings on the floorplans;
 - h.) that no rooftop access be permitted by the elevator.
47. That the developer receive all necessary approvals from the City of Madison of any building encroachments (utility vaults, overhangs or projections) into the Monroe Street and Regent Street rights of way.
48. That the developer submit proof of financing and an executed contract with a construction firm, which provides assurances that the project will be completed once started, in a form acceptable to the Director of the Department of Planning and Community & Economic Development prior to any permits being issued.

- 49. Changes to the approved plans or operations, as well as complaints against said plans or operations, shall be subject to the conditional use procedures in Sec. 28.12(11)(h) and (i). The details of the plans and operations shall be contained in the updated plans approved by the Plan Commission on May 5, 2008 and in a restrictive covenant approved by the City Attorney's Office, executed by the property owner and recorded prior to issuance of the demolition permit.
- 50. No beer gardens shall be permitted.
- 51. All traffic signage shall be approved by the City Traffic Engineer.

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

- 1. Please revise your plans per the above and submit *seven (7) copies* of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off, including the required tree preservation plan.
- 2. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.
- 3. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
- 4. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
- 5. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit.

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

Sincerely,

Timothy M. Parks
Planner

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| <p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit.</p> <p>_____</p> <p style="text-align: center;"><i>Signature of Applicant</i></p> |
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- cc: Matt Tucker, Zoning Administrator
Janet Dailey, City Engineer's Office
John Leach, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
George Dreckmann, Recycling Coordinator
Scott Strassburg, Madison Fire Department

| For Official Use Only, Re: Final Plan Routing | | | |
|---|---------------------------|-------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> | Planning Division (Parks) | <input checked="" type="checkbox"/> | Recycling Coordinator (R & R) |
| <input checked="" type="checkbox"/> | Zoning Administrator | <input checked="" type="checkbox"/> | Fire Department |
| <input checked="" type="checkbox"/> | City Engineering | <input type="checkbox"/> | Urban Design Commission |
| <input checked="" type="checkbox"/> | Traffic Engineering | <input type="checkbox"/> | Other: |