



PREPARED PLAN COMMISSION (Updated 2-4-15)

**Project Address:** 202 East Washington Avenue and 15 North Webster Street (District 2 – Ald. Zellers)

**Application Type:** Demolition Permit, Conditional Use, and Planned Development Zoning Map Amendment

**Legistar File ID #** [35010](#), [34641](#), and [33109](#)

**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

**Reviewed By:** Jay Wendt, Principal Planner

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The applicant, the North Central Group, has submitted revised plans for the “AC Hotel” at the subject properties. In summary, the applicant again proposes to demolish a vacant automobile repair facility (Pahl Tire) and a four-unit residential structure to allow for the development of a 10-story, 164-unit hotel. An earlier version of this request was before the Plan Commission on September 22, 2014 and referred to their October 27 meeting. The applicant later requested an indefinite referral and has significantly redesigned aspects of the project. Several discussions with Planning and Traffic Engineering staff have occurred to address previously raised questions.

The key proposed modifications include the following:

- The ground floor of the building has been pulled back from Webster Street to allow on-site loading/valet service to occur on the subject site.
- An automated lift system has been added to the underground parking, increasing the number of on-site stalls from 37 to 79.
- The building’s exterior has been significantly redesigned as shown on the provided plans.
- Internal programming has been revised.
- Roof-top encroachments are proposed to the Capital View Height Limit, which would require conditional use approval.

## Approval Standards

This proposal is subject to the standards for Demolition Permits [M.G.O. Section 28.185]; Conditional Uses [M.G.O. 28.183]; Zoning Map Amendments [M.G.O. Section 28.182(6)]; Planned Developments [Section 28.098(2)]; and the Urban Design District 4 Standards [Section 33.24(11)]. As with all PD requests, the UDC (Urban Design Commission) is required to review and make a recommendation (or conditional recommendation) to the Plan Commission on both the GDP (General Development Plan) and SIP (Specific Implementation Plan) based on the design objectives in Subsection 28.098(1) and the other PD requirements.

The additional height sought in this proposal requires additional standards to be applied beyond the typical review standards utilized for most proposals. The additional standards include those noted below.

### PD Standards for Height Exceeding the Mapped Downtown Height

Due to portions of the 15 North Webster property exceeding the Zoning Code’s 6-story height limit, the applicant has applied for approval of a Planned Development (PD). The Zoning Code established the use of

Planned Developments as the process to evaluate such requests. In addition to the other PD Standards of Section 28.098, the following additional standards apply.

- (g) Height in Excess of Downtown Height Map: When applying the above standards to an application for height in excess of that allowed in Section 28.071(2)(a) Downtown Height Map... the Plan Commission shall consider the recommendations in adopted plans and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present:
1. The excess height is compatible with the existing or planned (if the recommendations in the Downtown Plan call for changes) character of the surrounding area, including but not limited to the scale, mass, rhythm, and setbacks of buildings and relationships to street frontages and public spaces.
  2. The excess height allows for a demonstrated higher quality building than could be achieved without the additional stories.

### **“Bonus” Stories along East Washington Avenue**

The Downtown Zoning map includes a maximum height of eight (8) stories for 202 East Washington Avenue. Up to two (2) additional bonus stories can be allowed with conditional use or in this case PD approval. As part of the Planned Development, the above standards should again be utilized to evaluate the request. Note that those standards are identical to the conditional use standards which would have applied if the applicant had not sought to rezone the property.

### **Height Exceeding Capitol View Preservation Limit**

The submittal reviewed by the Plan Commission in September 2014 did not exceed the Capitol View Height limit. The revised plans show some rooftop encroachments exceeding this limit. The Zoning Administrator has determined that such encroachments are permissible with Conditional Use approval, and this should be reviewed against the conditional use standards of 28.183. Updated drawings showing elements above the rooftop are included as 8 x 11 sheets in this packet.

## **Analysis and Conclusion**

The previous analysis noted several concerns related to the approval standards including:

- Traffic and Valet Operations
- Sidewalk Width
- Architectural Design
- Consistency with Adopted Lamp House and Downtown Plans

**Traffic and Valet Operations.** The Traffic Engineering (TE) Division previously raised significant concerns as to whether the previous submittal could meet the applicable traffic-related standards. The proposed plan revisions and updated management plans have helped address TE’s concerns. Locating more of the valet/drop-off functions onto the subject site has been viewed as a significant improvement. A revised operations plan has also been provided and reviewed by TE. The revised comments from TE are attached. Please note, Sheet EC.05 was provided in the latest UDC packet, after agency comments had been issued.

**Sidewalk Width.** Sidewalk width was a point of considerable discussion prior to the referral. The Planning Division and TE previously recommended a three-foot easement to widen the sidewalk to eight (8) feet. Staff was previously concerned on sidewalk width considering that the valet service being operated within the sidewalk and right-of-way. With the redesigned site plan, the applicant has agreed to provide a one-foot easement to widen the sidewalk and staff supports this as a compromise. See the recommended TE conditions for further information.

**Architectural Design.** In regards to architectural design, the Planning Division believes that the current proposal is a significant improvement over earlier versions. Staff believes that the building's exterior is of a much more cohesive design and includes complementary architecture on all four sides. Previously raised design concerns regarding the proximity of service doors to the street frontage and encroachments into the sidewalk have been addressed.

**Plan Consistency.** The Planning Division notes that while the project's design is considered much improved, the proposal remains inconsistent with some bulk recommendations of the Downtown Plan and the Report of the Lamp House Block Ad Hoc Plan Committee.

The Comprehensive Plan (2006) includes the subject properties within the Downtown Core Sub District of Downtown. That district includes a variety of recommended uses including commercial lodging. The Comprehensive Plan references the more specific recommendations of more detailed plans adopted for the area.

In the Downtown Plan, the subject site is split between the intensively developed Downtown Core and the residential James Madison Park planning areas. The Downtown Core is recognized as a high-intensity, mixed use district. The Plan recommends developing the area with more active uses between the Capitol Square and the Capitol East District. The dividing line between these areas runs between the subject properties, with 202 East Washington listed as part of the former and the residential 15 North Webster part of the latter. The detailed height map recommends a maximum of six (6) stories for 15 North Webster Street and eight (8) stories along East Washington Avenue, with the possibility for up to two (2) bonus stories. The bonus stories are intended to encourage and reward buildings of "truly exceptional" design as noted in the below excerpt:

Where additional stories are available, it is not intended that they be earned merely by complying with standards and criteria that would be required and expected in any case, such as underlying zoning regulations, good design, or sensitivity to an adjacent historic landmark. The intent is not simply to allow a taller building and additional stories should not be considered "by right" heights. Rather additional stories are to be used as a tool to encourage and reward buildings of truly exceptional design that respond to the specific context of their location and accomplish specific objectives defined for the area. (Downtown Plan, Appendix C: Additional Building Height)

The Report of the Lamp House Block Ad Hoc Plan Committee was approved in March 2014 as a supplement to the Downtown Plan to advise the Plan Commission and the Common Council about an appropriate vision and special area plan for this specific block. The vision recognizes the value of heritage tourism for the Lamp House and seeks to strike a balance between historic preservation and economic development values by encouraging appropriate development around the Lamp House.

The subject site is located in a portion of that block identified as being most appropriate for redevelopment. Further, the proposed building does not impact the four identified views to the Lamp House nor does it impact any views from the structure to Lake Mendota.

The plan also confirms the maximum heights recommended in the Downtown Plan that were later codified in the Zoning Code. For this plan, the intent was to ensure meaningful sunlight reaches the Lamp House rooftop. The incorporation of the 15 North Webster property into the proposal is considered positive, as it would have otherwise been a small “orphaned” property between two larger redevelopment sites. The 10-story height proposed on a portion of 15 North Webster Street exceeds the plan’s recommended six-story height limit by four (4) stories. This property is approximately 33 feet wide and the 10-story mass extends about 20 feet onto this property. The building steps down towards the Lamp House and the 10-story mass is located about 14 feet from the side property line. The additional height occurs on approximately 34% of 15 North Webster Street’s area.

The applicant has provided a follow up shadow study (Sheet EX.03). That study concludes that the proposed building will result in approximately 95 minutes of partial shadows cast on the Lamp House roof between the 9:55 am and 11:30 am during the fall equinox. To verify, staff have inserted the applicant’s building into the City’s model and confirmed these figures. The shadow impacts are similar to those projected with the previously proposed building. Please see the attached exhibits prepared by the applicant and staff.

At the request of Ald. Zellers, Planning Division staff was also asked to look at anticipated equinox shadow impacts from surrounding properties:

- The existing residential building at 12 N Butler Street places the Lamp House roof in full shadow from sunrise to approximately 7:00 am and partial shadow until 8:00 am.
- The approved Rouse Building is projected to provide afternoon shadowing to the Lamp House roof. Shadows begin to touch the roof starting at approximately 1:30 pm. By 3:30 pm, the roof is predominantly in shadow with full shadow occurring by approximately 4:00 pm lasting through sunset.
- Properties on the opposite side of North Webster Street could be built to Capitol View Height limits. Shadow impacts from future development would be in the late afternoon, generally after 3:00 pm. Shadow would vary on the specific development proposal.
- Future redevelopments on East Washington Avenue are anticipated to provide additional morning shadows, before shadows from the proposed hotel take effect. The amount of shadow cast on the Lamp House will vary based on the height, rear yard setback, and location of any building “gaps” above the fourth story. Buildings that provide strategic gaps, such as those presented in the Lamp House report will increase the amount of sunlight reaching the Lamp House between the hours of 8:00 and 9:30 am.

## **Conclusion**

The Planning Division believes that the revisions made by the North Central Group have significantly improved their proposal. Previously raised concerns about regarding traffic, valet operations, sidewalk width, and architectural design have been addressed. This proposal is consistent with many, but not all of the recommendations in adopted plans. The most significant difference is the height recommendation in the Downtown Plan and the recently completed Report of the Lamp House Block Ad Hoc Plan Committee which confirmed the six-story limit that applies today for 15 North Webster Street. From a shadow impact perspective, the proposal will result in some additional partial shadowing of the Lamp House roof. On the equinox, which represents average sunlight for the year, the proposed building will cast an additional hour and a half of partial shading on the Lamp House roof.

The Planning Division previously concluded that the previous submittal may be able to meet the approval standards. With the many improvements, the Division believes this application better meets the applicable standards. Careful consideration should be given to the approval standards, including those related to additional height. Finally, the new proposal includes possible rooftop encroachments into the Capitol Height Limit. Updated drawings showing elements above the rooftop are included as 8 x 11 sheets in this packet.

The Urban Design Commission found that the standards were met, including those for additional height, and recommended approval of this request on a 5-2 vote. Please see the attached report for further information. The Plan Commission, and Common Council should carefully weigh the submitted information, analysis, and testimony provided at the public hearings as it relates the relevant standards.

**Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

The Planning Division believes the approval standards may be able to be met with this proposal. If such a finding can be made, the Plan Commission should approve the demolition permit and conditional use and forward Zoning Map Amendment 00140, rezoning 202 East Washington Avenue and 15 North Webster to the PD-GDP-SIP (Planned Development-General Development Plan and Specific Implementation Plan District) PD-GDP (Planned Development-General Development Plan) to the Common Council with a recommendation of approval. This recommendation is subject to the input provided at the public hearing and the comments and conditions recommended by reviewing agencies. Should the Commission find the standards are not met, this item should either be referred for further revisions or placed on file.

**Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

**Planning Division** (Contact Kevin Firchow, 267-1150)

1. That the zoning text be revised to identify "hotel" as a conditional use. The purpose of this condition is to provide continuing jurisdiction, especially as it relates to possible traffic impacts. The final zoning text shall be approved by the Planning Division and Zoning Administrator.
2. That final plans submitted for sign-off shall include consistent detailing, including details in the right-of-way. All exhibits shall be printed to scale and approved by staff.
3. This approval only includes the encroachments into the Capitol Height View as approved by the Plan Commission. New encroachments not accurately depicted will require approval a conditional use alteration.
4. That the Zoning text shall be revised to include provide additional information on parking and loading. Details shall be consistent with the approval conditions with the specific text to be approved by Traffic Engineering Division, Planning Division, and the Zoning Administrator.
5. That the Zoning text shall be revised to note that height shall be as shown on approved plans and shall comply with the Capitol View Preservation standards of Section 28.134(3). The final zoning text shall be approved by the Planning Division and Zoning Administrator.
6. That the planters adjacent to the building between the building and existing sidewalk be removed to limit pedestrian obstructions.

7. Building encroachments into the right away at the ninth floor are stated by the applicant to be a drafting error. This encroachment should be removed in corrected plans submitted for final sign-off.

**City Engineering Division** (Contact Janet Schmidt, 261-9688)

8. Primary access, including lobby and drop off entrance, is from N Webster St. The address of the hotel is 1 N Webster St.
9. The proposed new building will cross an underlying platted lot line. Current fire code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
10. The Joint Driveway Easement over the northerly side of this parcel will need to be modified or released and a new agreement drafted and recorded to address the proposed common sidewalk between this property and the property to the north shown on the site plan.
11. Encroachments in the public right of way for overhangs, canopies, footings or other private improvements within the public right of way shall be clearly shown on the plans will require a privilege in streets administered through the Office of Real Estate Services..
12. The Applicant shall dedicate a 1 foot wide permanent limited easement for sidewalk purposes and construct a widened sidewalk along Webster Street similar to that of the property at 27 N. Webster Street.
13. 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. (MGO 16.23(9)c)
14. 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.
15. Submit a PDF of all floor plans to [izenchenko@cityofmadison.com](mailto:izenchenko@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.
16. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)

17. The approval of this Conditional Use or PUD 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. (MGO 16.23(9)(d)(6))
18. 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. (POLICY)
19. 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. (POLICY)
20. 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. (INFORMATIONAL)
21. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
22. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
23. All damage to the pavement on E. Washington Avenue and N. Webster Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:  
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
24. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
25. 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.
26. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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. (NOTIFICATION)

27. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
28. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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.
29. 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. (POLICY and MGO 37.09(2)) 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
30. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
31. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14))

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

32. Document EC.05 was submitted after staff comments were due. The applicant will need to submit additional documentation showing turning movements prior to final sign off and shall show all obstructions consistent with the plans originally submitted.
33. Items in the Right-of-Way are not approvable through the site plan approval process and subject to change based on public need. Approval of the submitted plans does not grant approval of the items shown in the public right of way or approval of uses of the public right of way such as the loading zone.
34. If the applicant does not provide a proper number of valet attendants, vehicles are likely to double park in the bike lane and travel lane. Double parking will impact the safety and operation of the street. As a condition of approval the applicant shall provide a parking operation plan to be approved by the City Traffic Engineering Division. The parking operation plan shall include the following:
  - a) The parking operation plan shall provide for enough valets during all times of operation to insure queuing within through travel lanes does not occur. If queuing within travel lanes is observed, applicant shall revise parking operations plan to be approved by the City Traffic Engineer and add additional staff and or off-site parking to allow proper functionality of the Right of Way. Modifications to this plan not



directed by the City Traffic Engineer shall be considered as an alteration to the conditional use. The applicant at a minimum shall provide valet attendants to the levels shown in the proposed Valet/guest Parking Operating Plan.

- b) Applicant plans to lease space from public ramps. Agreements and rates shown in the submitted plan have not been put in place at this time. These shared parking leases shall be in place and included in the parking operations plan prior to final sign off. At such time the leases for the parking ramps change in either number of spaces or location, applicant shall revise their parking operations plan and have it approved by the City Traffic Engineering Division. This shall include redoing any necessary parking studies as determined by the City Traffic Engineering Division. All studies and revisions to the parking operations plan shall be conducted prior to expiration of the leases spelled out in the traffic operations plan.
- 35. The applicant prior to final sign off shall provide a delivery operation plan. The plan shall prohibit deliveries between the hours of 7 A.M. to 9 A.M. and 3 P.M. to 6 P.M. The applicant shall refuse deliveries from any vendor that arrives during those hours.
- 36. The applicant prior to final sign off shall provide a bus operations plan to accommodate group tours and shuttles that may come to the hotel from various group gatherings. The plan shall address how to keep the guest pickup and drop off operational
- 37. The applicant prior to final sign off shall provide trash removal plan. The plan shall prohibit trash removal between the hours of 7 A.M. to 9 A.M. and 3 P.M. to 6 P.M.
- 38. Ramp grad exceeds recommended maximums for public parking and as such shall only be used for valet or private parking.
- 39. Underground parking is not dimensioned and therefore not reviewable at this time. Applicant shall expect major redesign of the building structure may be necessary when plans are submitted for final review. Currently the elevator and stairs appear to be in the drive/backup aisle and need to be relocated for plan to be approvable.
- 40. This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, covered sidewalks will be constructed and maintained as soon as possible and little to no access to the Public Right Away will be granted for construction purposes. Applicant shall expect that construction methods above and beyond normal construction will be necessary to build on this site.
- 41. The development as proposed will increase pedestrian congestion. The applicant shall provide a permanent 1 foot sidewalk easement for the length of the property along Webster Street to mitigate the impacts to the public right of way.
- 42. The applicant is required to compensate the Parking Utility \$39,550 per space for any metered parking spaces permanently removed for the proposed loading zone on North Webster Street for this project. This is to replace the lost meter revenue stream for these metered spaces. The proposed loading zone is not for the exclusive use of the proposed hotel, as it is in the public right of way, and there shall be no signing in the public right of way that would suggest it is for the exclusive use of the proposed hotel.

43. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
44. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
45. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
46. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

47. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances or as approved by the Urban Design Commission. Permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
48. Sec. 28.185 (7)(a)5. requires approval of a reuse and recycling plan by the Recycling Coordinator, Mr. George Dreckmann (608-267-2626), prior to the issuance of the demolition permit.
49. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
50. Section 28.185(9) (a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
51. Work with Planning and Zoning staff to revise zoning text. The final zoning text shall be approved by Planning and Zoning staff prior to recording of this PD. The zoning text shall be revised to include the following:
52. The list of conditional uses for the development include:
  - A 164 Room Hotel
  - Outdoor eating and recreation area at the 9th level, as shown on the approved plans
53. Provide a minimum of 16 bicycle parking spaces as required per sec. 28.141(3) and 28.141(11). Provide a detail of the bike rack design.

54. The proposed outdoor seating area shall be reviewed and approved by Mr. Warren Hanson, Street Vending Coordinator (261-9171).
55. The projects includes an elevator penthouse and mechanical equipment/screening that projects into the Capitol View Preservation area. Final plans shall represent the minimum projection necessary for both the elevator penthouse and mechanical equipment and screening, to be approved by staff.
56. In regard to the required provision of open space for Planned Developments, 28.098(4)(e)., the applicant has not provided details of the 20% open space requirement, and therefore requests a waiver of said requirement.

**Fire Department** (Contact Bill Sullivan, 261-9658)

57. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
58. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt Scott Bavery (608) 576-0600.

**Parks Division** (Contact Kay Rutledge, 266-4714)

59. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
60. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl – [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
61. This development is within the Tenney, Law & James Madison park impact fee district (SI26). Please reference ID# 14143 when contacting Parks about this project.

**Water Utility** (Contact Dennis Cawley, 261-9243)

62. This property is not in a wellhead protection district. The Madison Water Utility shall be notified to remove the water meters prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
63. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

**Metro Transit** (Contact Tim Sobota, 261-4289)

64. Metro Transit operates daily transit service along East Washington Avenue through (or to) the North Webster Street intersection. Trips are normally scheduled to operate through the intersection and serve bus stop ID #1618 west of the North Webster intersection – but when the Capitol Square is closed to traffic due to events, buses need to stop on East Washington just before the North Webster intersection – before then turning right onto North Webster Street. The most recent site plan reflects the applicant agreeing to establish the sidewalk cafe fencing at a distance of no less than five feet off the face of curb – which will provide sufficient clearance for bus passengers to safely exit from buses that need to serve this stop location.
65. Metro Transit operates daily transit service along East Washington Avenue through (or to) the North Webster Street intersection. Trips are normally scheduled to operate through the intersection and serve bus stop ID #1618 west of the North Webster intersection – but when the Capitol Square is closed to traffic due to events, buses need to stop on East Washington just before the North Webster intersection – before then turning right onto North Webster Street.

## 1/27/15 - AC Hotel Proposal: Autumnal Equinox (9/21) Shadow Study (-6UTC)

9 am



10 am



11 am



12 noon



1pm



2pm



This shadow study was prepared by the City of Madison Planning Division Staff on 1/27/15 using the City of Madison 2013 base sketch-up model. The development proposal file, submitted by the architect was inserted into this base model for shadow comparison purposes. *Light on the Lamp House is affected by the new development between approximately 10 am and noon and doesn't affect the Lamp House after approximately noon.*



Comparison of proposed project with Lamp House Report Recommended massing:

11 am recommended massing



11 am Proposed massing



Comparisons with existing shadows:

The following diagrams show existing light (including already approved development) between 9-noon.

9 am existing



10 am existing



11am existing



12 noon existing

