



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

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

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June 10, 2011

Gary Brink  
Gary Brink & Associates, Inc.  
8401 Excelsior Drive  
Madison, Wisconsin 53717

RE: Approval of a request to rezone 434-454 W. Johnson Street from R6 (General Residence District) and C2 (General Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of 5 existing buildings and construction of a ten-story, 194-room hotel with approximately 3,300 square feet of first floor retail space (Raymond Management Co.)

Dear Mr. Brink;

At its June 7, 2011 meeting, the Common Council **conditionally approved** your application to rezone 434-454 W. Johnson Street from R6 and C2 to PUD-GDP-SIP to allow construction of a ten-story, 194-room hotel with approximately 3,300 square feet of first floor retail space following demolition of 5 existing buildings. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for demolition and new construction:

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

1. Safe overflow paths for runoff shall be documented showing that the building is not flooded when the storm sewer reaches pipe capacity.
2. The applicant shall revise plans to show connection to the existing sanitary sewer manhole on W. Johnson Street approximately 30 feet southwest of where the connection is currently proposed.
3. Connections to public utilities will be permitted and approved under the plans issued by City Engineering for right of way improvements and restoration.
4. The approved addresses for the site will be 444 W. Johnson Street for the commercial space and 440 W. Johnson Street for the hotel.
5. A Certified Survey Map application is expected to be made to the Planning Division to dissolve the underlying lot lines. A CSM may also be required to dedicate any necessary public easements or right of way expansions for N. Bassett Street or W. Johnson Street as required by the City Engineer or the City Traffic Engineer.
6. There are also concerns relating to both existing and proposed shared private ingress-egress easements within the proposed site and on adjacent properties as well to serve this development.
7. 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.

8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with 5-inch concrete.
9. The approval of this planned unit development 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.
10. 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 so that the City Engineer can approve the grade of the entrances prior to signing off on this development.
11. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
12. 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.
13. All work in the public right of way shall be performed by a City-licensed contractor.
14. 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 - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the final approval of the project.
15. All damage to the pavement on W. Johnson Street or N. Bassett Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria.
16. The site plans shall be revised to show the location of all rain gutter down spout discharges.
17. The applicant shall show stormwater "overflow" paths that will safely route runoff when the storm sewer is at capacity.
18. 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.
19. For commercial sites with less than 1 acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Wisconsin Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than 1 acre, 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.

20. 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.
21. The applicant shall submit, prior to plan signoff, 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: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
22. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. 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).
23. 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.
24. Prior to approval of the issuance of a demolition permit, 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.
25. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division signoff, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.

**Please contact Bryan Walker, Traffic Engineering Division, at 267-8754 if you have questions about the following twelve (12) items:**

26. The applicant shall modify the site plan to accommodate the turning movements of semi trucks into the site drop-off area without encroaching onto the W. Johnson Street sidewalk. If semi trucks cannot be accommodated, a letter shall be submitted stating that the drop-off area will only allow buses and single unit trucks, and also state how large trucks will be handled.
27. The applicant shall provide a deposit for changes to the signing and marking on N. Bassett Street from W. Gorham Street to W. Johnson Street to provide safe and reasonable access provisions on N. Bassett Street.
28. The applicant shall prevent encroachment onto the W. Johnson Street sidewalk near the drop-off area by barriers of some type, which shall be noted on the face of the revised plans.
29. The applicant shall install proper signage to secure one way operation to the loading area off of N. Bassett Street. Specifically, "One-Way" signage at the N. Bassett Street entrance and "Do Not Enter" signage at the ramp down from the loading area.

30. When plans are submitted for approval, the ramps to the parking levels shall be designed to accommodate low-clearance vehicles for a transition. The applicant shall provide a profile of the ramps showing the slopes and critical clearance.
31. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
32. 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 2-foot overhang, and a scaled drawing at 1" = 20'.
33. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
34. "Stop" and "No Right Turn" signs shall be installed at a height of 6 feet to the bottom of the first sign at the two driveway approaches to W. Johnson Street. 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.
35. The applicant shall design the surface or underground parking areas for stalls and backing up according to Figure II of the ordinance using the 9' or wider stall for the commercial/retail area. Per ordinance, the compact 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 compact car parking spaces identified and properly controlled with a sign "Compact Cars Only" per each space, when final plans are submitted for approval.
36. The applicant 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.
37. 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 Bill Sullivan, Madison Fire Department, at 261-9658 if you have any questions regarding the following note:**

The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have any questions regarding the following two (2) items:**

38. The portion of the proposed water service lateral constructed in the street right of way shall be ductile iron pipe, not PVC.
39. Note: The property is not located 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.

**Please contact my office at 261-9632 if you have questions about the following three (3) items:**

40. That the zoning text be revised subject to approval by the Planning Division prior to recording of the PUD as follows:
- a.) the applicant shall work with Planning and Zoning staff prior to final approval and recording of the planned unit development to develop an enumerated list of permitted uses for the zoning text so as to eliminate the reference to C2 zoning. [Staff believes that it would be best going forward to approve PUD zoning texts with such use lists so as to avoid references to the current Zoning Code.];
  - b.) the zoning text shall permit outdoor eating areas for restaurant, brewpub, or tavern uses in the first floor commercial space as minor alterations to the approved specific implementation plan when approved by the Planning Division Director following a recommendation by the District Alderperson; said outdoor eating areas shall be subject to the Plan Commission's continuing jurisdiction, as provided for in Section 28.12(11)h.4; staff will work with the applicant to incorporate appropriate language to this effect into the final zoning text for the project.
41. That a detailed site plan showing the entire private through-block connection that will extend between the subject site and adjacent Aberdeen Apartment (Dishaw) property from W. Gorham to W. Johnson streets be included in the final plan set for this project. The site plan exhibit should reference the recorded 2003 private driveway cross easement (Document No. 3770757) between the two properties.
42. That the project receive final approval from the Urban Design Commission prior to the final approval and recording of the planned unit development and the issuance of demolition and building permits. Planning staff encourages the applicant to revise its plans prior to returning to the UDC to better mesh the first floor commercial tenant space with the first floor functions of the hotel in an effort to allow the entire building to more directly address and activate the corner of W. Johnson and N. Bassett Streets. [This condition was satisfied by the project receiving final approval from the UDC on May 25, 2011.]

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.**

Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

After the plans have been changed as per the above conditions, please file **nine (9) sets** of the final planned unit development and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

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

case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

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

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
Bryan Walker, Traffic Engineering Division  
Bill Sullivan, Madison Fire Department  
Dennis Cawley, Madison Water Utility  
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: