

PLANNING DIVISION STAFF REPORT

January 9, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 131 West Wilson Street (District 4 – Alder Verveer)
Application Type: Conditional Use, Certified Survey Map
Legistar File ID # [74542](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Jake Bunz; T. Wall Enterprises, LLC; 1818 Parmenter St #400

Owner: The Moment, LLC; 131 W Wilson St; Madison, WI 53703

Requested Action: The applicant is seeking approval of the following conditional uses:

- A new building greater than twenty thousand (20,000) square feet or more than four (4) stories (§28.076(4)(c) MGO)
- Accessory outdoor recreation (§28.076(2) MGO)
- A building or structure located within one mile of the center of the State Capitol Building exceeding the elevation of the base of the columns of said Capitol Building or one hundred eighty-seven and two-tenths (187.2) feet, City datum (§28.134(3) MGO)

The applicant is also seeking approval of a related single-lot certified survey map.

Proposal Summary: The applicant is seeking approvals to construct a fifteen-story mixed-use building with 263 residential units and approximately 6,900 square feet of commercial space on a single lot created by CSM.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6) M.G.O. Standards for certified survey maps are found in §16.23(5) M.G.O.

Review Required By: Urban Design Commission, Plan Commission, Common Council (CSM only)

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 131 West Wilson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for conditional uses are met for 15-story mixed-use building in a UMX district, subject to the conditions from reviewing agencies beginning on page 6;
- That the Plan Commission forward the certified survey map to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 15;

Background Information

Parcel Location: The 33,092-square-foot (0.76-acre) property is located on the southeast side of West Mifflin Street, adjacent to the Wisconsin & Southern Railroad, between South Henry Street and South Carroll Street. It is located within Alder District 4 (Ald. Verveer) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is zoned Urban Mixed Use (UMX) District and is developed with a twelve story building with office and commercial tenant spaces and three levels of underground parking constructed in 1971. A demolition permit for that building has been issued.

Surrounding Land Use and Zoning:

- Northwest: Across West Wilson Street, the Dane County Courthouse, zoned PD (Planned Development District);
- Northeast: A vacant lot and an eight-story apartment building, both zoned UMX;
- Southeast: Across the Wisconsin & Southern railroad and John Nolen Drive, Law Park and Monona Terrace; and
- Southwest: A four-story mixed-use building zoned UMX.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Downtown Core (DC) uses for the subject parcel. The [Downtown Plan](#) (2012) similarly identifies the site as Downtown Core Mixed Use.

Zoning Summary: The property is in the Urban Mixed Use (UMX) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000	33,491
Lot Width	30 ft	132 ft
Front Yard Setback	5 ft	2 ft (1.)
Max. Front Yard Setback	10 ft	2 ft
Side Yard Setback	None	4 ft, 5 ft
Rear Yard Setback	10 ft	10 ft
Usable Open Space	10 sq ft/br = 3,590 sq ft	6,072 (2.)
Maximum Lot Coverage	90%	86% (3.)
Minimum Building Height	2 stories	15 stories
Maximum Building Height	Capitol View Height	Capitol View Height (4.)

Site Design	Required	Proposed
Number Parking Stalls	No minimum	257
Accessible Stalls	7	8
Loading	No	No
Number Bike Parking Stalls	296	263 (5.)
Landscaping	Yes	Yes (6.)
Lighting	Yes	Yes
Building Forms	Yes	Flex (7.)

Other Critical Zoning Items	Urban Design (UMX), Utility Easements
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Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

One June 27, 2022, the Plan Commission approved a demolition permit to demolish a twelve-story office building at this site. The applicant is now seeking approval of the necessary conditional uses to construct a fifteen-story mixed-use building with 263 residential units and approximately 6,900 square feet of commercial space on the first two floors. A certified survey map creating one lot accompanies the land use application.

The first floor includes a lobby, commercial tenant space with attached outdoor seating patio, mail and parcel rooms, office and concierge, and trash room, as well as vehicle, motorcycle, and bicycle parking and loading. The second floor includes two additional tenant spaces, most of the building's interior resident amenities, rooftop pool terrace, dog run, and several residential units. A total of 6,897 square feet of commercial space in three tenant spaces are located on first and second floor. Second-floor amenities include a coworking lounge and meeting rooms, numerous community rooms and fitness facilities, an outdoor pool and hot tub, as well as pool lounge, outdoor seating areas, grilling areas, and dining areas above the parking structure. Floors 3 through 15 include residential units. The proposed unit mix includes 107 studios, 73 one-bedroom units, 70 two-bedroom units, and 13 three-bedroom units, for a total of 416 bedrooms.

Vehicle parking is accessed via a driveway on West Wilson Street in the same approximate location of the existing driveway. In addition to 257 structured parking stalls in three-and-one-half stories of underground parking, 263 indoor bicycle parking stalls are located in the structured parking.

Landscaping is predominantly in raised planters on the terrace porches and along the vehicular entrance. Small portions of at-grade plantings, which include shrubs, ornamental grasses, and columnar evergreens line the southern facades. The second floor roof terrace also includes raised planters and the rooftop includes a 4500 square foot green roof with 4" tray modules. The plans also show plantings, trees, decorative concrete, and street furniture in the terrace, but these items are not part of the conditional use review, but will be addressed by City Engineering and Traffic Engineering divisions.

The primary façade materials for two lowest floors are gray aluminum panel and vision glass, with a bronze metal panel and woodtone metal panel accents and a cast stone base. Upper floor façade materials include metal panels in varying shades of gray, tan, and brown, as well as woodtone metal panel accents and large fields of vision glass.

Submitted plans show photovoltaic panels on the roof, but details for installation are not provided.

According to the letter of intent, the approved demolition is intended to be undertaken from December 2022 through July 2023, with construction to follow immediately. Building completion and opening is expected in spring or summer 2025.

Analysis & Conclusion

This request is subject to the standards for conditional uses. This section begins with a summary of adopted plan recommendations, followed by conditional use standards, and finally a conclusion.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Downtown Core (DC), which represents the nucleus of downtown and accommodates a wide variety and mix of uses in large-scale buildings. The [Downtown Plan](#) (2012) recommends Downtown Core Mixed-Use for the site, with a maximum building height at the Capitol View Preservation Limit. The Downtown Plan also places the site within the Downtown Core district, which accommodates a wide variety of office, employment, retail, government, residential, and other uses in larger-scale buildings that comprise the most densely developed part of the city. Staff believes the proposal can be found to be consistent with the adopted plans.

Conditional Use Standards

The applicant is requesting approval of three conditional uses within the UMX district to construct the proposed development. In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) M.G.O. are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Staff provides the following comments regarding Condition Use approval standards 7, 9, and 17.

Regarding approval standard 7, which states that "The conditional use conforms to all applicable regulations of the district in which it is located," 28.071(3)(d)4 MGO states that for non-residential uses, the average ground story floor elevation shall not be lower than the front sidewalk elevation nor higher than eighteen (18) inches above the sidewalk elevation. Because of the slope of site and the sidewalk, the southwestern-most corner of the building is approximately five feet above the sidewalk and the elevation of the floor of the first story is almost two-and-one-half feet above the average elevation of the sidewalk. Zoning staff have recommended a condition of approval that prior to final approval, a zoning code text amendment or variance is required if building design remains unchanged. Planning staff support a zoning code text amendment for the section cited above to better address sites with changes to the elevation such as this.

Regarding standard of approval 9, that "the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendation." This proposal has already been reviewed by the UDC as required by §28.076(4)b) MGO, which states that the UDC shall review all new buildings that greater than 20,000 square feet or taller than four stories "for conformity to the design standards in Sec. 28.071(3) and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission." At its December 14, 2022 meeting, the UDC made an advisory recommendation to the Plan Commission to approve the project, with a number of conditions, which are listed in the recommended conditions of approval beginning on page 5, as well as the expectation that the design will return to UDC for review of the recommended conditions and final approval. See Legislative ID [73562](#) for more information. Staff notes that UDC's review is advisory to the Plan Commission per §28.076(4)b) and the Plan Commission has the ability to confirm or modify any of the design conditions found necessary to meet this standard. Staff believes standard of approval 9 can be met.

Per Wisconsin State Statute and Madison General Ordinance, certain projections are permissible into the Capitol View Preservation area, if approved by the Plan Commission as a conditional use. Section 28.134(3) MGO states, with regard to Capitol View Preservation (CVP), that "no portion of any building or structure located within one (1) mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of said Capitol Building...Provided, however, this prohibition shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses." Conditional Use standard of approval 17 states that when applying the Conditional Use standards to an application for allowable projections into the Capitol View Preservation Area, the Plan Commission shall "only approve the projection if it determines the encroachment is the minimum necessary and does not significantly impact the long views of the State Capitol building."

The building parapet is approximately 1'-7" beneath the Capitol View Preservation height limit and the proposed solar panels appear to be 4 inches below the CVP height, though details for the solar panels have not been provided. The building's elevator over-run extends approximately 5'-8" above the CVP height. No rooftop mechanical equipment or mechanical yards are shown on the proposed plans and staff understands at the time of report writing that no additional mechanical projections are proposed. While not shown to be above the CVP height at this time, staff notes that solar panels are not among the allowed projections per state statute. In considering similar conditional use approvals, taller elevator penthouse projections and mechanical yard screens have been approved elsewhere in Downtown. 1 North Pinckney Street (American Exchange Building environs) was approved with mechanical equipment 12'-7" above the CVP height limit, mechanical yard screening of 12'-5" above the limit, and an elevator over-run 15'-11" over the height limit. 223 South Pinckney Street (Block 105) and 216 South Pinckney Street (Block 88) were both approved with mechanical screening walls that projected 16 feet above the CVP height limit, but the Block 88 mechanical yard was revised to just under 10 feet above the CVP height limit. Block 89, between Doty Street and Capitol Square, was approved with two mechanical yard projection of 16 feet over the CVP height limit. The West Wilson Street Hilton Hotel includes an approximate 13 foot CVP height limit screening projection. Most recently, the redevelopment of the Lake Street public parking structure at 415 North Lake Street was approved with an extension of approximately 8 feet above the CVP height limit for an elevator penthouse. In the UDC packet of materials, the applicant has provided [long views and aerial views](#) of the building massing in relationship to the Capitol building. Such views do not specifically depict the extent of the overrun, though based on the provided information, staff notes that the projection is smaller than others that have been approved both in terms of height and area.

While staff believe it is likely possible that the Plan Commission can find the applicable standards met, any expansion of intrusions above the CVP height limit will likely necessitate a major alteration to the conditional use.

Land Division

The applicant has submitted a certified survey map to create one lot. Staff believe that all applicable standards for land divisions can be found met.

Conclusion

Staff believes that the proposal is consistent with the land use recommendations in the [Downtown Plan](#) and [Comprehensive Plan](#). Further, when considering the use and scale of the proposed redevelopment, the recommendations and findings from the UDC, and the recommended conditions of approval, staff believes the standards of approval for conditional uses can be found met. Staff also believe the standards for the CSM can also be found met.

At time of writing, Staff is unaware of any written comment from the public.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends the following to the Plan Commission regarding the applications for 131 West Wilson Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for conditional uses are met for 15-story mixed-use building in a UMX district, subject to the conditions from reviewing agencies beginning on page 6;

- That the Plan Commission forward the certified survey map to Common Council with a recommendation to approve, subject to the conditions from reviewing agencies beginning on page 15;

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Land Use (Conditional Use):

Planning Division (Contact Colin Punt, 243-0455)

1. The approved elevator overrun into the Capitol View Preservation Limit is as presented on the plans submitted in this land use application. Any modification, including an increase in the height or the area beyond what is shown in the conditional use submittal will require consideration of either a minor (administrative) or major alteration to this approval, depending on the scope of the changes.
2. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall-packs on street-facing walls is not included in this approval and will require approval of an alteration to this conditional use if proposed at a later time.
3. That in order for the development to meet Conditional Use Standard 9 (28.183(6)9 MGO), the Plan Commission finds, based on the recommendations and comments of the Urban Design Commission, that the following modifications and additional information are necessary as specified below. Prior to final sign-off and the issuance of building permits, a complete plan set with the following modifications and supplemental information shall be presented to the Urban Design Commission for their final review. The UDC shall confirm that the modifications satisfy the intent of their initial recommendation and meet the applicable approval standards of §28.183(6)(9) and §28.076(4)(b), MGO. The UDC’s final review shall be limited to these specified items. Following this review, the Plans shall be revised to reflect the UDC final review comments and information shall be incorporated into final sign-off plans to be approved by the Planning Division Director and Urban Design Commission Secretary. Plans determined not be consistent with this recommendation will require a conditional use alteration as specified in §28.183(8), MGO.

The UDC specified that the following modifications be made. Revisions and/or supplemental information shall be provided to address the following:

- Material of the underside of the balcony shall be consistent throughout, with faux wood material versus concrete.
- Remove random mullions on the east and west elevations and incorporate a thin metal vertical line mid building to create the vertical articulation that extends to the end of the penthouse floor deck on both sides of the furthest in balcony.
- Revisit the use of darker tone glass on east elevation.
- Revisit the metal panel inset on W Wilson, it could be reduced in size to match thickness of roof overhang.
- The applicant shall provide additional details related to the louvers and how they are integrated into the overall building design and materials.
- The applicant shall provide an updated landscape worksheet reflecting all changes. Review the previously provided plant selection related to cultivars and straight species. The Cortaderia grass needs to be replaced with a species that is heartier in this climate zone. Use an alternate climbing vine species and provide information related to vine selection.

The UDC had recommended consideration be given to the following elements. The applicant is required to

study the following elements and report its findings to the UDC. Such items are considered advisory and shall not be required.

- The M logo seems light compared to other elements on the east façade, consideration should be given to proportions and scale of that element.
- Consider using a 6" system rather than 4" system on the green roof and include native perennials into the sedum mat.

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

4. For non-residential uses, the average ground story floor elevation shall not be lower than the front sidewalk elevation nor higher than eighteen (18) inches above the sidewalk elevation. The average ground story floor elevation is more than 18 inches above the sidewalk. Prior to final zoning approval, a zoning code text amendment or variance is required if building design remains unchanged.
5. A 5' front yard setback is required if the distance between the curb and property line is less than 15' or shown on the Setback Exceptions Map. A no-build easement may be used to achieve the 15' distance. Work with City staff to develop the no-build easement.
6. Clearly show the useable open space areas on the final plans. In addition to showing structured useable open space at balconies or rooftop areas, identify each qualifying at-grade usable open space area on the final plans. Roof decks and balconies may be used to meet up to seventy-five percent (75%) of the minimum open space requirement, provided that minimum dimensional requirements are satisfied.
7. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 90%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
8. The capitol view preservation height limit shall not apply to any church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment and chimneys exceeding such elevation, when approved as conditional uses. Any additional elements not required by the building code are not permitted above the capitol view height limit.
9. Bicycle parking shall comply with City of Madison General Ordinances Sections 28.141(4)(g) Table 28I-3 and 28.141.11 and shall be designated as short-term or long-term bicycle parking. A minimum of 270 resident bicycle stalls are required plus a minimum of 26 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Currently more than 25% of bicycle parking is proposed to be structured or wall mount, and this must be revised. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
10. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. Landscaping installed in the public right of way cannot be counted for zoning purposes.
11. The minimum ground story height is twelve (12) feet, measured from the sidewalk to the second story floor.

Revise the plans to show that this requirement is met.

12. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of DPCED.
13. Label the EV ready and EV installed parking spaces. A total of 10% (26) EV ready and 2% (5) EV installed spaces are required.

City Engineering Division (Contact Tim Troester, 267-1995)

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| <ol style="list-style-type: none">14. This site currently has a storm sewer discharge out the rear of the building towards John Nolen Drive. This storm connection shall be plugged and abandoned.15. New storm sewer from the site shall be directly connected to the public storm sewer in Wilson Street. No discharge to the RR ROW along John Nolen Drive shall be allowed without a permit from the RR prior to approval of the planset. |
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16. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
 17. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
 18. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer. Note E Wilson will be under reconstruction during 2024. Developer and contractor shall coordinate with City's Construction Contractor.
 19. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
 20. 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)
 21. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

22. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
23. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from City Engineering. Additionally, a permit for non-storm discharge to the storm sewer system from the City/County Health Department shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.
24. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
25. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
26. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
27. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
28. Revise the site plan 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. (POLICY)
29. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
30. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public Right of Way (ROW). (POLICY)
31. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
32. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.

33. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
- This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
- This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
- (POLICY)
- This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
- 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.
34. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
- This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
- (POLICY)
- This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
- 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.
35. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management

Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10-year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

36. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

37. Grant a Public Sidewalk Easement(s) to the City on the face of the forthcoming Certified Survey Map along W. Wilson Street. The size of the easement to be approved by City Engineering and Traffic Engineering.

38. The Site Plan indicates curbed planter encroaching into the southerly right of way of W Wilson Street . The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement. Link as follows - <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way.

39. The proposed new building crosses an underlying platted lot line. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building or early start permit.

40. Coordinate and request from the utility companies serving this area the easements required to serve this development.

41. Coordinate any work within limits of Railroad Right-of-way with Rail line and WisDOT. Applicant/developer shall apply for and provide any permits, licenses and/or easements needed to cross right-of-way to make any necessary utility connections.
42. Remove Cut Stone benches from the limits of the City right-of-way as shown on sheet L-1
43. The address of the proposed building is 133 W Wilson St. 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.
44. The apartment numbers shown on the floor plans are not valid. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall be provided for additional review and approval by Engineering. Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

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| <p>45. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Wilson Street.</p> |
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46. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on W. Wilson Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff. Applicant shall also be made aware that there is a 2023 Public Works project planned for this section of W. Wilson Street which may result in logistical issues.
 47. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
 48. 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.

49. 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.
50. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
51. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
52. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
53. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
54. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
55. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
56. Parking deck is insufficiently labeled/dimensioned for a proper review. If the parking does not meet MGO 10.08 the applicant can expect to be required to make major alteration which may or may not impact structural elements of this site.
57. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
58. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.

59. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
60. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
61. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
62. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
63. The applicant shall prepare a TDMP (Traffic Demand Management Plan) to be reviewed and approved by the City Traffic Engineer. MGO (28.183(6)(a)(6))

Fire Department (Contact Bill Sullivan, 886-4691)

64. MFD does not support the installation of the proposed fire table. Please consider removing for both fire safety and environmental reasons.
65. Any energy storage systems installed in association with the solar array shall comply with the IFC 2021 edition and NFPA 855.

Parks Division (Contact Ann Freiwald, 243-2848)

66. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 22048 when contacting Parks about this project.

Forestry Section (Contact Brad Hoffman, 267-4908)

67. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Water Utility (Contact Jeff Belshaw, 261-9835)

68. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained

from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

69. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Metro Transit has reviewed this request and has recommended no conditions of approval.

Certified Survey Map:

City Engineering Division (Contact Tim Troester, 267-1995)

1. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer. Note E Wilson will be under reconstruction during 2024. Developer and contractor shall coordinate with City's Construction Contractor.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

4. Grant a Public Sidewalk Easement(s) to the City on the face of the Certified Survey Map along W. Wilson Street. The size of the easement to be approved by City Engineering and Traffic Engineering.
5. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jule Smith, City Engineering (jsmith4@cityofmadison.com)
6. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jule Smith (jsmith4@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

7. Per S. 236.34(1m) (c) the location of the land by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted. Add Government Lot 1 Prior to the Quarter - Quarter Calls in both the captions on each sheet and the legal description.
8. The header caption on sheets 1 and 2 correctly places the parcel in both theoretical Quarter - Quarters the captions on the remaining sheets 3-5 do not list the NW 1/4 of the NW 1/4. this will need to be added to the remaining sheets. and the formatting of the Quarter - Quarters should look consistent on Sheets 1 and 2 ... the NW 1/4 is more abbreviated then the SW 1/4
9. Remove the "recorded as" information along the railroad R-O-W. the takings along this line appear to be along a skew, and would not match the platted information. The recorded as bearings that are implied as the lots all being parallel with the side streets should be shown. Show the side lot record bearings as 45° for the NE line and the SW line along lots 3 and 6.
10. Submit to Jule Smith, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
 - i. Right-of-Way lines (public and private)
 - ii. Lot lines
 - iii. Lot numbers
 - iv. Lot/Plat dimensions
 - v. Street names
 - vi. Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

11. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along W. Wilson Street.

Office of Real Estate Services (Contact Andy Miller, 261-9983)

12. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
13. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate(s). If a mortgage or other financial

instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

14. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off if said ownership interest meets the criteria set forth by Wis. Stats. Sec. 236.34 and Sec. 236.21(2)(a).
15. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.
16. The lands within the CSM boundary are partially located within TID 25, a Tax Incremental Financing District. Discussions with Joe Gromacki, the City of Madison's tax increment financing coordinator, may be necessary before recording the CSM if a TIF application is required. Mr. Gromacki can be reached at 608-267-8724 or jgromacki@cityofmadison.com. Please inform Andy Miller in the City's Office of Real Estate Services (acmiller@cityofmadison.com) if a TIF Loan has been authorized for the project.
17. As of December 29, 2022, the 2022 real estate taxes are owed for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
18. As of December 29, 2022, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
19. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email to Andy Miller in the ORES (acmiller@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the initial title report, dated November 7, 2022, submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

The Planning Division, Fire Department, Forestry Section, Water Utility, Assessor, and Metro Transit have reviewed this request and have recommended no conditions of approval.