



CITY OF MADISON  
ZONING BOARD OF APPEALS  
APPEAL APPLICATION

**\$200 Filing Fee**

Ensure all information is **typed** or legibly **printed** using blue or black ink.

Notices are sent to the District Alderperson and to owners of record as listed in the Office of the City Assessor. Maximum size for all drawings is 11" x 17".

Name of Applicant: Josh Wilcox  
Address: 7780 Elmwood ave  
Middleton Wi 53562  
Daytime Phone: 608.829.1750 Evening Phone: \_\_\_\_\_  
Email: josh.wilcox@garybrink.com

1. The undersigned hereby appeals the decision of the Zoning Administrator in regard to Madison General Ordinance Section No. 28.071.(3)(a)(1)
2. When relevant to a specific property, fill out below:  
Street Address: 330 East Wilson St  
Madison WI
3.  List of grounds for the appeal, statements, evidence of fact, and any additional information associated with the appeal are provided on a separate attachment.

Applicant Signature: [Signature]

FOR OFFICE USE ONLY	
Amount Paid: <u>200</u>	Zoning District: <u>JMX</u>
Receipt: <u>156580</u>	Hearing Date: <u>8/14/14</u>
Filing Date: <u>7/25/14</u>	Published Date: <u>8/7/14</u>
Received By: <u>MWT</u>	Appeal Number: <u>081414-2</u>
Parcel Number: <u>0709-133-2624-9</u>	CO: <u>WP-17</u>
Alder District: <u>6-Rummel</u>	

**DECISION**

The Board, in accordance with the findings of fact, hereby determines that the requested appeal for \_\_\_\_\_ is

**Approved**                       **Denied**                       **Conditionally Approved**

**Zoning Board of Appeals Chair:**

**Date:**

## Addendum to Application for Code Interpretation

Subject Property: 330 E. Wilson Street

Owner: Palladia, LLC

### Overview

Palladia, LLC owns the property at 330 E. Wilson St. and wishes to construct a six-story building with a first-floor retail space and 30 residential units above. The first level also includes a parking area for five vehicles and 13 bicycles (an additional 25 bicycle stalls are located in the basement). The parking area is tucked underneath the building but is not enclosed space (it is open on the west and north elevations). The parking area is screened from E. Wilson Street by a portion of the building that functions as a community display space.

Community Display



Retail

The community display space is approximately 30" deep and is intended to both screen the parking and activate the street façade by providing a dynamic space for displaying messages, educational materials, local art and other items of interest to the neighborhood. The owner respectfully requests that the Zoning Board of Appeals find that the proposed building satisfies the parking design standards of the Zoning Code.

### Issue Presented

Whether the proposed building satisfies the parking design standards of section 28.071(3)(a)(1) of the Zoning Code.

### Discussion

The Downtown subchapter of the Zoning Code contains certain design standards regulating parking, including the requirement in section 28.071(3)(a)(1) that parking be incorporated into a development in such a way that it is not visible from the street:

*Parking shall be located in parking structures, underground, or in surface parking lots behind principal buildings. Parking structures shall be designed with liner buildings or with ground floor office or retail uses along all street-facing facades.*

In short, section 28.071(3)(a)(1) presents three options: 1) put the parking underground, 2) put it in back, or 3) put it in a parking structure. If a property owner chooses the "parking structure" option, the design standard goes on to require that the ground floor of the parking structure must be screened from the street with a) a liner building; b) an office use or c) a retail use.

Section 28.071(3)(a)(1) clearly permits parking in a surface lot behind the building. It also allows parking structures, so long as the parking structure is screened with a liner building or an



office/retail use. However, it is less clear, how section 28.071(3)(a)(1) is intended to apply when a single level of surface parking is integrated into the design of the principal building itself (as opposed to being located in a multi-level parking structure/ramp/garage).

The Zoning Administrator acknowledges that section 28.071(3)(a)(1) requires some interpretation. As far as the parking at issue in this appeal is concerned, the Zoning Administrator views it as part of a *parking structure*, requiring screening from the street by a liner building or by an office/retail use. :

*In consideration of this section, it is my interpretation that the proposed "community display space" is not an office or retail use as required above, and this proposal does not comply with the zoning code requirement. This space does not represent any form of office or retail occupancy, and does not appear to be functional or occupiable, as the zoning code requires. If you wish to maintain parking at the first level, you will need to establish a bona-fide office or retail use between the front of the building and the proposed parking area.<sup>1</sup>*

The owner agrees that section 28.071(3)(a)(1) is ambiguous and requires interpretation. However, the owner believes that the five spaces at issue in this appeal are not part of a *parking structure* and the standard should not be interpreted in a way that requires the addition of another retail/office component to the proposed design, as indicated by the Zoning Administrator.

The ground floor office/retail requirement discussed in 28.071(3)(a)(1) applies only to *parking structures*. The term "parking structure" is a defined term in the Zoning Code, meaning "a multi-level parking area, wherein one or more levels are supported above the lowest level, and is commonly called a parking garage or parking ramp."<sup>2</sup> The parking area at issue in this appeal consists of five spaces located on a single level, at grade, and not fully enclosed within the building. Clearly this is not a "parking structure" as that term is used in the Zoning Code.

The parking area at issue here is located at-grade and is screened from E. Wilson Street by the front façade of the building. Accordingly, the owner believes that the parking area is more accurately construed under section 28.071(3)(a)(1) as a "surface parking lot located behind the building," which is expressly permitted.

More importantly, regardless of whether the parking area at issue in this appeal is construed as part of a "parking structure" or as a "surface parking lot located behind the building" the owner believes that the proposed configuration satisfies the important objective of the parking design standard, which is to screen the parking from the street. The community display space is an innovative<sup>3</sup> way to both hide the parking and activate the street façade of the building in a way that enhances the pedestrian experience.

### **Conclusion**

For the reasons set forth above, the owner respectfully requests that the Zoning Board of Appeals find that the proposed configuration satisfies the parking design standards of section 28.071(3)(a)(1) of the Zoning Code.

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<sup>1</sup> Email correspondence from Matthew Tucker to Josh Wilcox, Jul. 10, 2014.

<sup>2</sup> MGO Sec. 82.11.

<sup>3</sup> The original idea for the community display space was conceived of during one of the early neighborhood meetings on this project.

# 330 E. WILSON MIXED USE

## 330 E. WILSON STREET MADISON, WI 53703

### ZBA SUBMITTAL

JULY 25, 2014



**ZONING CODE:**

- URBAN MIXED-USE (UMX) DISTRICT
- MINIMUM FRONT YARD SETBACK = 0'-0", MAXIMUM FRONT YARD SETBACK = 10'-0"  
- PROPOSED = 1'-0"
- SIDE YARD SETBACK = 0'-0"  
- PROPOSED = 0'-0"
- REAR YARD SETBACK = 10'-0"  
- PROPOSED = 10'-0"
- MAXIMUM LOT COVERAGE = 100%  
- PROPOSED 1ST FLOOR BUILDING FOOTPRINT = 35%  
- PROPOSED 2ND FLOOR BUILDING FOOTPRINT = 15%  
- LOT SIZE: 6,711 SF  
- 1ST FLOOR BUILDING FOOTPRINT: 2,332 SF  
  132' x 35%  
  6,711 SF  
- 2ND FLOOR BUILDING FOOTPRINT: 4,804 SF  
  4804 SF x 15%  
  6,711 SF
- MINIMUM HEIGHT = 2 STORIES, MAXIMUM HEIGHT = 4 STORIES (PER DOWNTOWN HEIGHT MAP), 6 STORIES PER CONDITIONAL USE.

- USABLE OPEN SPACE = 10 SF PER BEDROOM + 450 SF. REQUIRED  
TOTAL BALCONY SF. = 589 SF.  
TOTAL ROOF DECK SF. = 311 SF.  
PROPOSED USABLE OPEN SPACE = 906 SF.
- BIKE PARKING REQUIREMENTS:  
1 STALL PER UNIT UP TO 2 BEDROOMS, 1 STALL PER ADDITIONAL BEDROOM.  
1 GUEST SPACE PER 10 UNITS.  
2 STALLS REQUIRED FOR COMMERCIAL SPACE.
- DESIGN OPTION REQUIRES 38 BIKE STALLS  
- PROVIDED STALLS = 38 BIKE STALLS
- AREA OF THE SITE = 6,711 SQ. FT.  
IMPERVIOUS AREAS = 2,961 SQ. FT.

330 E. WILSON MIXED USE								
Floor / Level	UNIT TYPE					UNITS PER FLOOR	BEDROOMS PER FLOOR	SQUARE FOOTAGE PER FLOOR
	EFFICIENCY / STUDIO	(1) BEDROOM	ACCESSIBLE (1) BEDROOM	(2) BEDROOM	(3) BEDROOM			
Basement	0	0	0	0	0	0	0	2432
1st	0	0	0	0	0	0	0	2132
2nd	2	1	1	1	1	6	9	4804
3rd	2	2	0	1	1	6	9	4804
4th	2	2	0	1	1	6	9	4804
5th	2	2	0	1	1	6	9	4804
6th	2	2	0	1	1	6	9	4804
Total	10	9	1	5	5	30	45	26584

### SHEET INDEX

- T-1 COVER SHEET & PROJECT CONTACTS
- ARCHITECTURAL DRAWINGS**
- A2.00 BASEMENT FLOOR PLAN
  - A2.01 FIRST FLOOR PLAN / SITE PLAN
  - A2.02 SECOND THROUGH SIXTH FLOOR PLAN
  - A2.03 ROOF FLOOR PLAN
  - A6.01 EXTERIOR SOUTH ELEVATION
  - A6.02 EXTERIOR EAST & WEST ELEVATIONS
  - A6.03 EXTERIOR NORTH ELEVATION
  - R1.01 MASSING MODEL RENDERING



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ARCHITECTS  
7780 ELMWOOD AVE. STE. 204  
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608-829-1750  
608-829-3056 (FAX)

**OWNER/DEVELOPER:**

PALLADIA, LLC  
c/o KOTHE REAL ESTATE PARTNERS  
115 E. MAIN ST., SUITE 210  
MADISON, WISCONSIN 53703  
PHONE: (608) 469-0059  
EMAIL: kevin@kotherep.com  
PRINCIPAL CONTACT: KEVIN PAGE

**ARCHITECT:**

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EMAIL: josh.wilcox@garybrink.com  
PRINCIPAL CONTACT: JOSH WILCOX

**GENERAL CONTRACTOR:**

LANDGRAF CONSTRUCTION  
5964 EXECUTIVE DRIVE  
MADISON, WISCONSIN 53719  
PHONE: (608) 274-4700  
EMAIL: mark.landgraf@landgrafconstruction.com  
PRINCIPAL CONTACT: MARK LANDGRAF

**CIVIL/SITE ENGINEER:**

QUAM ENGINEERING, LLC  
4604 SIGGELKOW ROAD, SUITE A  
McFARLAND, WISCONSIN 53558  
PHONE: (608) 838-7750  
EMAIL: rquam@quamengineering.com  
PRINCIPAL CONTACT: RYAN QUAM

**LANDSCAPE DESIGNER:**

KEN SAIKI DESIGN, INC.  
303 S. PATERSON, SUITE ONE  
MADISON, WISCONSIN 53703  
PHONE: (608) 251-3600  
EMAIL: amolien@ksd-la.com  
PRINCIPAL CONTACT: ABBIE MOILIEN

PROJECT: 330 E. WILSON  
330 E. WILSON STREET  
MADISON, WI 53703  
CLIENT: KOTHE REAL ESTATE PARTNERS  
115 E. MAIN STREET SUITE 210  
MADISON, WI 53703

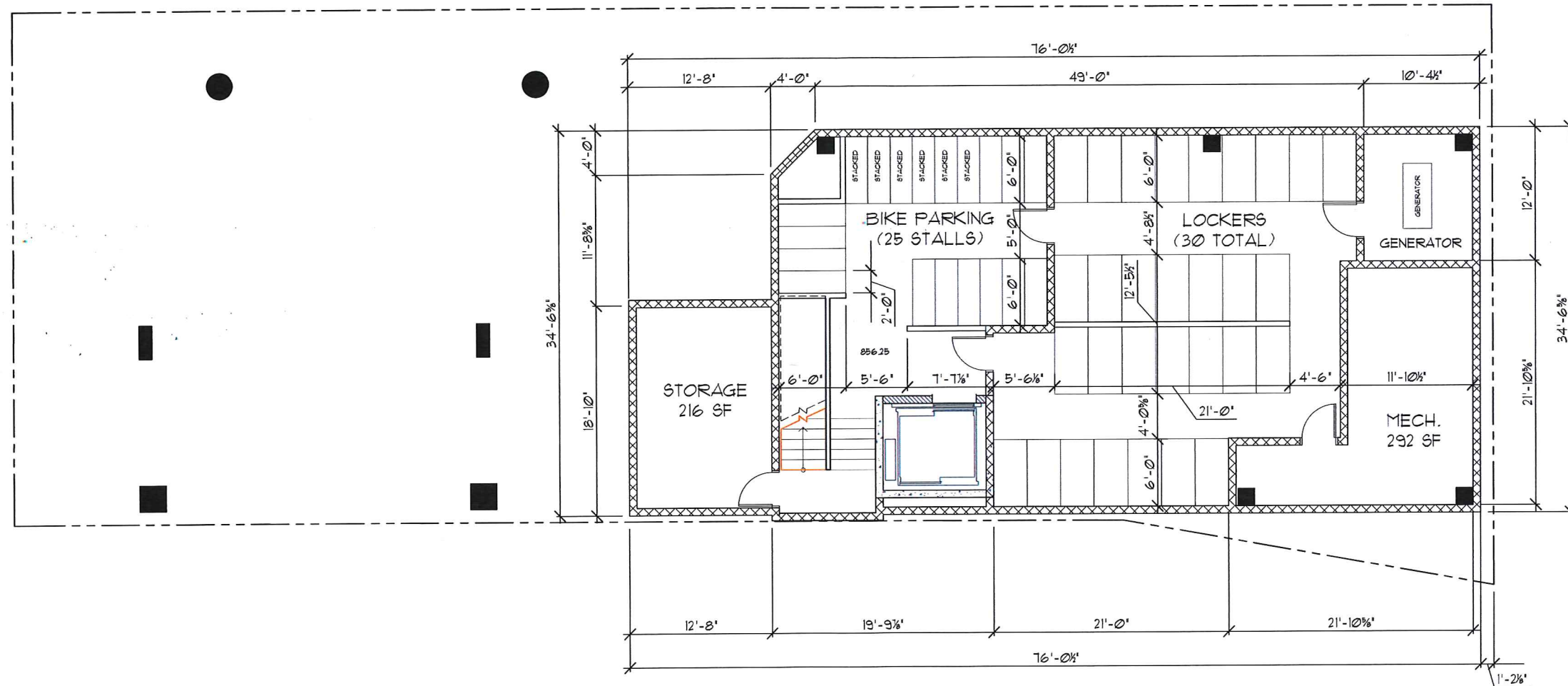
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DATE:  
SCALE: AS NOTED





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1 BASEMENT FLOOR PLAN  
SCALE: 3/16" = 1'-0"  
0' 1' 2' 4' 8' 16'

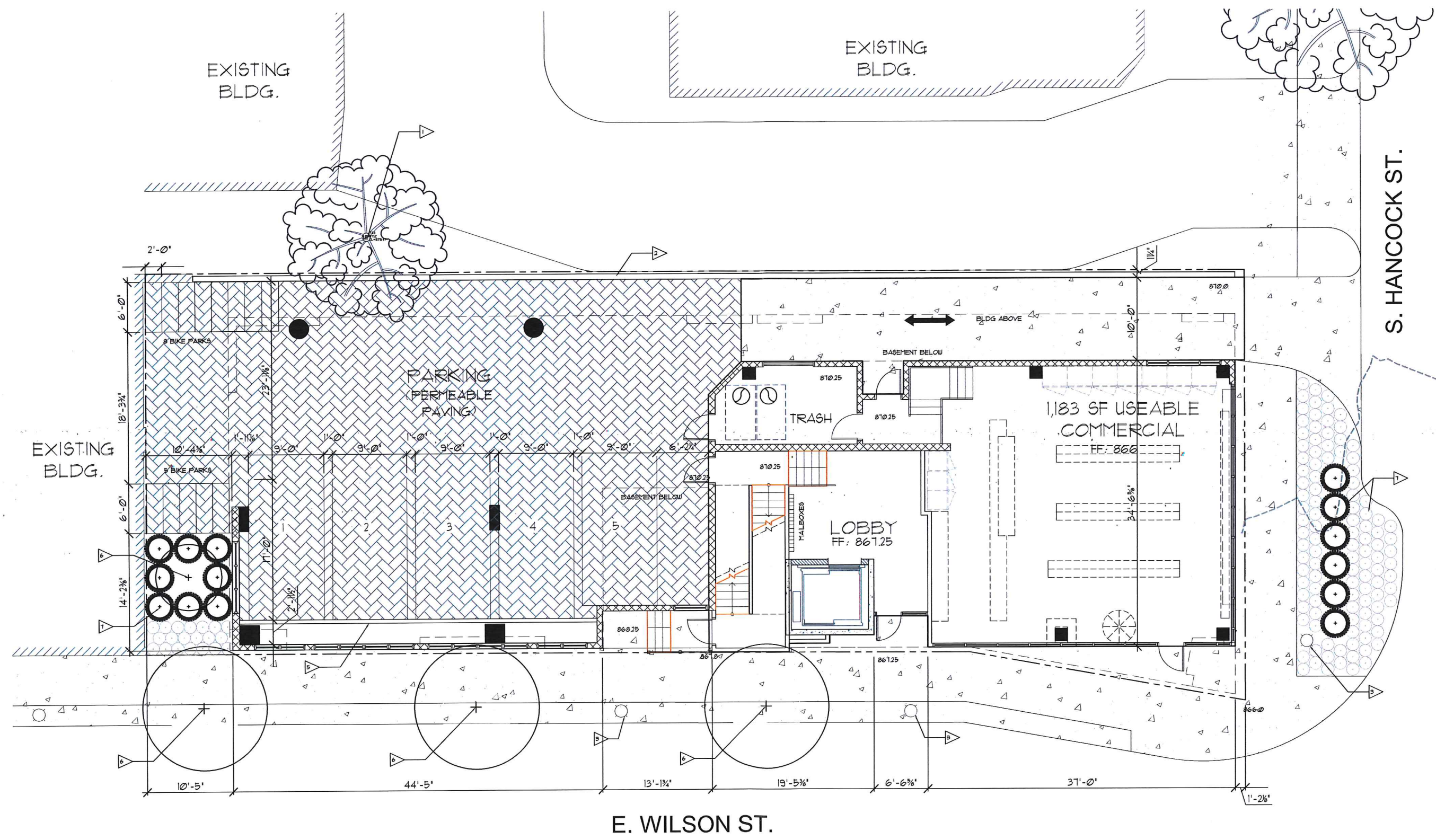
PROJECT: 330 E. WILSON  
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S. HANCOCK ST.

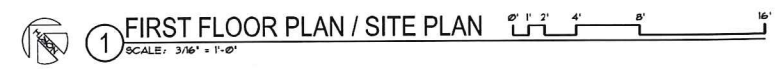
E. WILSON ST.

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SCALE: AS NOTED

- KEYED NOTES**
- 1. EXISTING TREE
  - 2. EXISTING RETAINING WALL
  - 3. EXISTING STREET LAMP
  - 4. NOT USED
  - 5. INTERACTIVE CHARITY DISPLAY
  - 6. NEW TREE - REFERENCE L100 FOR DETAILS
  - 7. NEW PLANTINGS - REFERENCE L100 FOR DETAILS

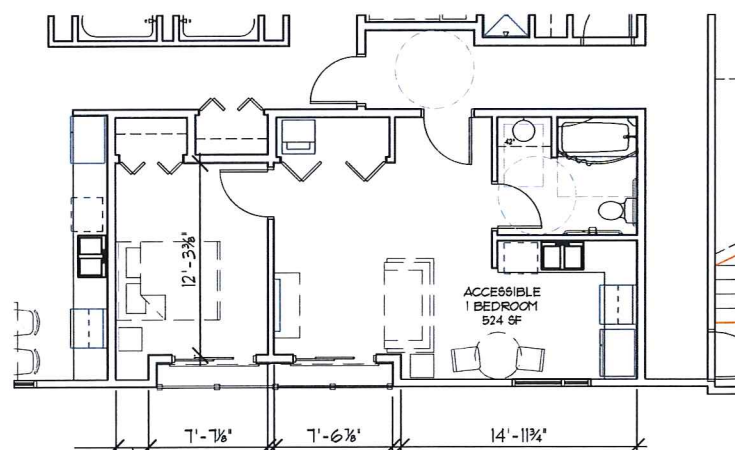
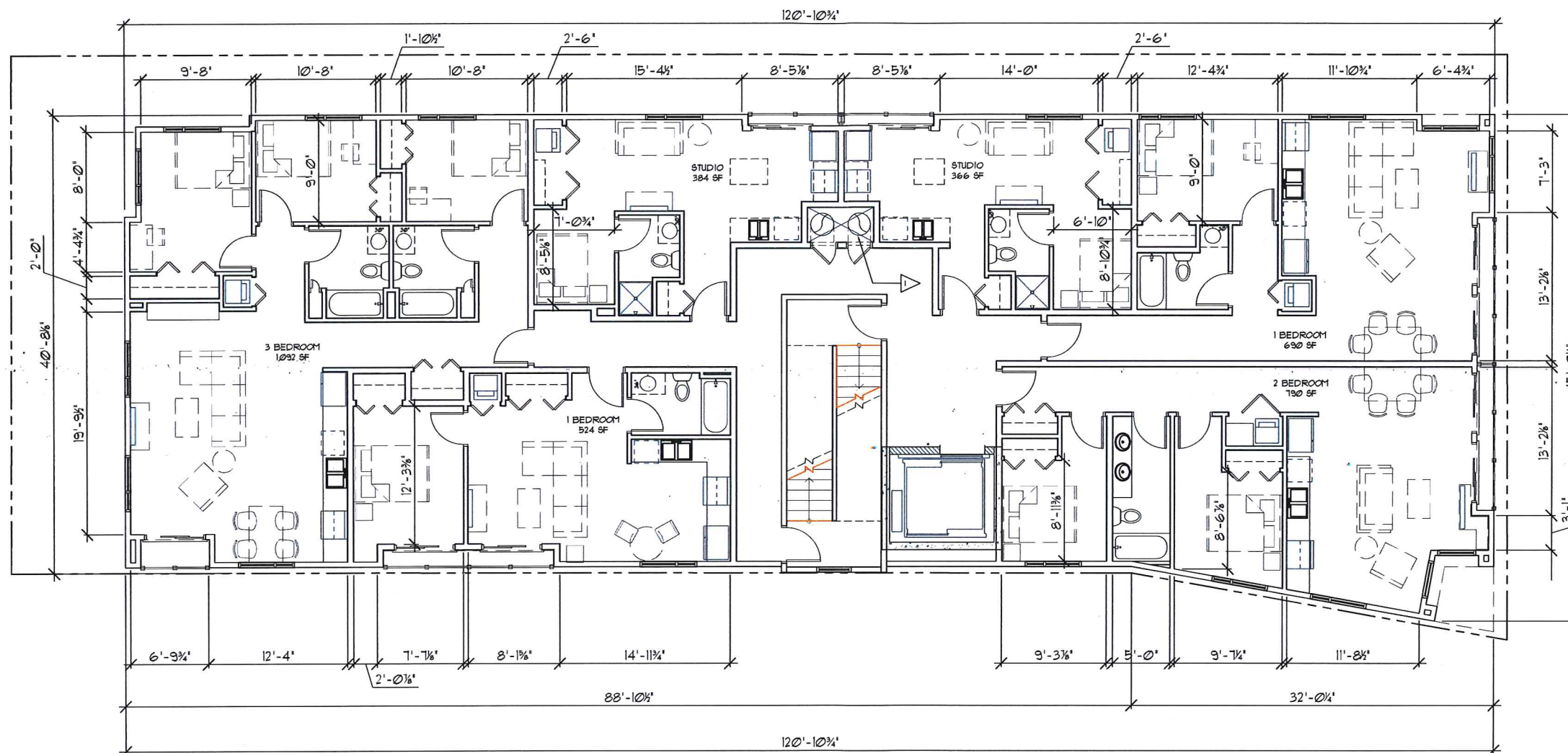


FIRST FLOOR  
PLAN / SITE  
PLAN  
**A2.01**





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1 2nd THROUGH 6th FLOOR PLAN  
SCALE: 3/16" = 1'-0"

1 2nd FLOOR ACCESSIBLE PLAN  
SCALE: 3/16" = 1'-0"

KEYED NOTES  
1. TRASH CHUTE FROM 2ND TO 1ST FLOOR ONLY

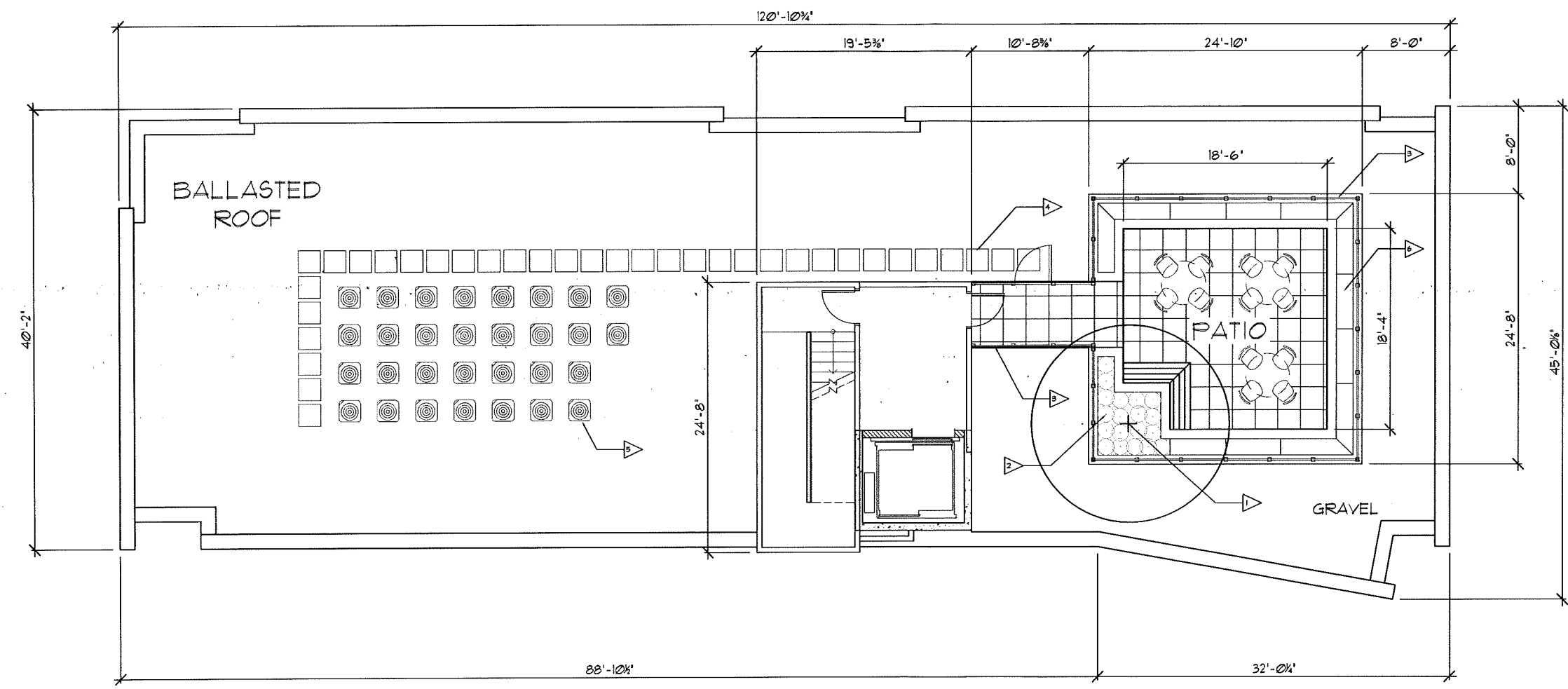
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- KEYED NOTES**
1. TREE - REFERENCE L1.00 FOR DETAILS
  2. PLANTINGS - REFERENCE L1.00 FOR DETAILS
  3. GUARDRAIL / FENCING - TOP • 42" AFF
  4. WALKWAY PAD
  5. CONDENSER UNITS
  6. RAISED PLANTER / GARDEN

**1 ROOF PLAN**  
SCALE: 3/16" = 1'-0"

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ROOF  
PLAN

A2.03





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GRAPHIC	KEY	EXTERIOR FINISH DESCRIPTION
	ST-1	MASONRY FIELD MFR: ARDSRAFT INTERNATIONAL SIZE: 8"X24" COLOR: SMOOTH ONGER
	M-1	ALUMINUM PANEL MFR: DRI DESIGN SIZE: N.A. COLOR: SMOKE EMBERS
	M-2	ALUMINUM PANEL MFR: DRI DESIGN SIZE: N.A. COLOR: REGAL BLUE
	GL-1	GLASS FIELD (CLEAR) MFR: VIRACON SIZE: REFER TO SPECIFICATIONS TYPE: VIRACON SOLARSREEN VE4-2M
	GL-2	GLASS FIELD (FROSTED) MFR: VIRACON SIZE: REFER TO SPECIFICATIONS TYPE: FROSTED VIRACON SOLARSREEN
	GL-3	GLASS FIELD (SPANDRL) MFR: VIRACON SIZE: REFER TO SPECIFICATIONS TYPE: FROSTED SPANDRL

PLAN SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"





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PLAN WEST ELEVATION  
SCALE: 1/8" = 1'-0"



PLAN EAST ELEVATION  
SCALE: 1/8" = 1'-0"

GRAPHIC	KEY	EXTERIOR FINISH DESCRIPTION
	(ST-1)	MASONRY FIELD MFR: ARRSRRAFT INTERNATIONAL SIZE: 8"x24" COLOR: SMOOTH GINGER
	(U-1)	ALUMINUM PANEL MFR: DRI DESIGN SIZE: N.A. COLOR: SMOKE EMBERS
	(U-2)	ALUMINUM PANEL MFR: DRI DESIGN SIZE: N.A. COLOR: REGAL BLUE
	(GL-1)	GLASS FIELD (CLEAR) MFR: VIRACON SIZE: REFER TO SPECIFICATIONS TYPE: VIRACON SOLARSCREEN VE4-2M
	(GL-2)	GLASS FIELD (FROSTED) MFR: VIRACON SIZE: REFER TO SPECIFICATIONS TYPE: FROSTED VIRACON SOLARSCREEN
	(GL-3)	GLASS FIELD (SPANDIL) MFR: VIRACON SIZE: REFER TO SPECIFICATIONS TYPE: FROSTED SPANDIL

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SCALE: AS NOTED

PLAN  
EAST/WEST  
ELEVATION  
A6.02





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PLAN NORTH ELEVATION

SCALE: 1/8" = 1'-0"



GRAPHIC	KEY	EXTERIOR FINISH DESCRIPTION
	ST-1	MASONRY FIELD MFR: ARBOSCRIFT INTERNATIONAL SIZE: 8"x24" COLOR: SMOOTH GINGER
	M-1	ALUMINUM PANEL MFR: DRI DESIGN SIZE: N.A. COLOR: SMOKE EMBERS
	M-2	ALUMINUM PANEL MFR: DRI DESIGN SIZE: N.A. COLOR: REGAL BLUE
	GL-1	GLASS FIELD (CLEAR) MFR: VIRAON SIZE: REFER TO SPECIFICATIONS TYPE: VIRAON SOLARSCREEN VE4-2M
	GL-2	GLASS FIELD (FROSTED) MFR: VIRAON SIZE: REFER TO SPECIFICATIONS TYPE: FROSTED VIRAON SOLARSCREEN
	GL-3	GLASS FIELD (SPANDRL) MFR: VIRAON SIZE: REFER TO SPECIFICATIONS TYPE: FROSTED SPANDRL

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PLAN NORTH  
ELEVATION  
A6.03





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PROJECT: 201249  
DRAWN BY: MB  
DATE:  
SCALE: AS NOTED

MASSING  
MODEL  
RENDERINGS  
R1.01