

PLANNING DIVISION STAFF REPORT

May 8, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 826 Williamson Street and 302 S Paterson Street (District 6 – Alder Rummel)

Application Type: Demolition Permit, Conditional Use, and Certified Survey Map Referral

Legistar File ID # [77015](#), [77016](#), and [77017](#)

Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner, Planning Division

Summary

Applicant: Tyler Krupp; Threshold Development; 1954 Atwood Avenue; Madison, WI 53704

Contact: Kevin Burow; Knothe & Bruce Architects; 7601 University Avenue, Suite 201; Middleton, WI 53562

Property Owner: Mark Herrling; 421 Bryce Canyon Circle; Madison, WI 53705

Requested Actions:

- ID [77015](#) – Consideration of a demolition permit to demolish two commercial buildings at 826 Williamson Street and 302 S Paterson Street;
- ID [77016](#) – Consideration of a conditional use in the Traditional Shopping Street (TSS) District for a building exceeding four stories and 60 feet in height in the Transit-Oriented Development (TOD) Overlay District; consideration of a conditional use in the TSS District for dwelling units in a mixed-use building with greater than 60 units; and consideration of a conditional use in the TSS District for buildings with non-residential uses occupying less than 50 percent of the ground-floor frontage facing the primary street; and
- ID [77017](#) – Approving a Certified Survey Map of property owned by Threshold Development, LLC located at 826 Williamson Street and 302 S Paterson Street;

Proposal Summary: The applicant proposes to demolish two commercial buildings in order to construct a mixed-use building with a four-story wing consisting of approximately 3,734 square-feet of commercial space and 55 apartments on Williamson Street in the Third Lake Ridge Historic District and a five-story wing consisting of approximately 864 square-feet of commercial space and 133 apartments on S Paterson Street.

Applicable Regulations & Standards: This proposal is subject to the standards Demolitions [MGO §28.185(7)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28D-2 in MGO §28.061 states that *Dwelling Units in Mixed-Use Buildings with greater than 60 units* in the TSS District requires a conditional use. Also, the table in MGO §28.104(4)(b) states that *building heights greater than four stories/60 feet* in the Transit-Oriented Development (TOD) Overlay District requires a conditional use in the TSS District. Additionally, Sections 28.161 and 28.151 state that for mixed-use buildings in the TSS District, non-residential uses occupying less than 50 percent of the ground-floor frontage facing the primary street requires a conditional use. Lastly, MGO Section 16.23(5)(g) provides the process and standards of approval for certified survey maps.

Review Required By: Plan Commission and Council (for the CSM, only)

Summary Recommendation: The Planning Division recommends the following:

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition of two commercial buildings at 826 Williamson Street and 302 S Paterson Street;

- That the Plan Commission find that standards for conditional uses are met, and **approve** three requests for a mixed-use building in the Traditional Shopping Street (TSS) District – 1) to exceed four stories and 60 feet in height in the Transit-Oriented Development (TOD) Overlay District; 2) to contain more than 60 dwelling units; and 3) to have non-residential uses occupying less than 50 percent of the ground-floor frontage facing the primary street – all to construct a mixed-use building at 826 Williamson Street and 302 S Paterson Street with a four-story wing consisting of approximately 3,734 square-feet of commercial space and 55 apartments on Williamson Street in the Third Lake Ridge Historic District and a five-story wing consisting of approximately 864 square-feet of commercial space and 133 apartments on S Paterson Street;
- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning on **page 10** of this report for the land use requests, and on **page 19** for the CSM.

Background Information

Parcel Location: The subject site spans two parcels – the 0.6-acre 826 Williamson Street parcel and the 1.2-acre 302 S Paterson Street parcel. Both parcels are located to the west of the intersection of Williamson Street and S Paterson Street. They are also located in Alder District 6 (Ald. Rummel), the Third Lake Ridge Historic District, the Transit-Oriented Development (TOD) Overlay District, and the Madison Metropolitan School District.

Existing Conditions and Land Use: The parcels which comprise the subject site are both developed and both contain a commercial building. The 302 S Paterson Street site contains a roughly 790-square-foot commercial building but is otherwise vacant and currently functions as a gravel lot. City Assessor’s Office records to not include a date of construction of the structure. The 826 Williamson Street site contains a one-story, roughly 2,950-square-foot commercial building which Assessor’s Office records note was originally constructed in 1955 and was converted from a gas station/auto repair center. Photos provided by the applicant of the existing structures are available [here](#) under Legislative file [77015](#). Both parcels are zoned TSS (Traditional Shopping Street District).

Surrounding Land Use and Zoning:

Northwest: Various properties owned and operated by Madison Gas & Electric, including the Blount Street power plant, all zoned TE (Traditional Employment District); the Capital City Path; Railroad right-of-way owned by WisDOT;

Northeast: Across S Paterson Street is a two-story office building in the TSS (Traditional Shopping Street) District;

East: A 2- and 4-unit, a tavern (Tiny’s Tap House), and a 3-story, mixed-use building containing a tavern (The Wisco) and 13 apartments - all in the TSS District;

Southeast: Across Williamson Street is the 9-unit, 4-building Ridge Side Cooperative; a 2-story retail/warehouse building; a single-family residence; and 3-story, mixed-use building 800 square-feet of commercial space and 24 apartments – all zoned TSS; and

Southwest: A 3-story, 53-unit and a 2-story, 39-unit apartment building, both zoned PD (Planned Development District).

Adopted Land Use Plan: For the 826 Williamson Street parcel, the 2018 [Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU), which it describes as 2-4 stories and up to 70 dwelling units per acre. For the 302 S Paterson Street parcel, it recommends Community-Mixed-Use (CMU), which it describes as 2-6 stories and up to 130 dwelling units per acre.

The [Williamson Street Design Guidelines \(BUILD II\) Plan](#) (2004), recommends flat-roofed three story structures for the 826 Williamson Street parcel. For the 302 S Paterson Street parcel, the Plan recommends a maximum of three stories but states that if a fourth story is allowed, it *“must be stepped back from the street such that it cannot be seen at sidewalk level from the opposite side of the street. In any case, the setback for a fourth floor in the 800 and 900 blocks of Williamson Street will be at least 45 feet from the property line for residential structures and 30 feet for mixed-use, flat-roofed structures.”* Finally, the [East Rail Corridor Plan](#) (2004), which only provides a recommendation on the 302 S Paterson Street parcel, recommends Employment Uses.

Zoning Summary: The subject site is zoned TSS (Traditional Shopping Street) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	78,468
Lot Width	None	132 ft
Front Yard Setback	5 ft	19.9 ft
Max. Front Yard Setback	25 ft	19.9 ft
Side Yard Setback	5 ft	6.2 ft, 6.4 ft
Rear Yard Setback	20 ft	25.1 ft
Maximum Lot Coverage	85%	81.8%

Requirements	Required	Proposed
Number Parking Stalls	None	149
Electric Vehicle Stalls	2% EV installed: 3 10% EV ready: 15	None <i>(See Comment #46)</i>
Accessible Stalls	5	5
Loading	No	No
Number Bike Parking Stalls	1 per d.u (188) + 10% guest stalls (19) + 2 per commercial space (4) = 211	208 <i>(See Comment #47)</i>
Landscaping and Screening	Yes	Yes <i>(See Comment #48)</i>
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block Building

Other Critical Zoning Items:	Yes: Third Lake Historic District; Barrier Free (ILHR 69); Utility Easements; TOD Overlay
	No: Historic District; Floodplain; Wetlands; Adjacent to Park; Urban Design; Waterfront Development; Wellhead Protection

Tables Prepared Jacob Moskowitz, Assistant Zoning Administrator

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

Public Utilities and Services: The subject site is served by a full range of urban services, including Metro Transit, which operates daily, all-day transit service along Williamson Street adjacent this property, with trips at least every hour.

Project Description

The applicant is requesting approval of a demolition permit and three conditional uses in order to construct a mixed-use building at 826 Williamson Street and 302 S Paterson Street with a four-story wing fronting Williamson Street and a five-story wing fronting S Patterson Street. Staff notes that only the Williamson Street wing is within the Third Lake Ridge Historic District.

The subject site is comprised of two parcels – the more northerly 1.2-acre 302 S Paterson Street parcel and the more southerly 0.6-acre Williamson Street parcel. Zoning Staff has determined the project site to be one zoning lot (which is defined in MGO Section 28.211 as “A planned multi-use site or a lot or lots that comprise a single tract of land located within a single block which, at the time of filing for a building permit, is to be used, developed or built upon as a unit. Therefore, a zoning lot or lots may or may not coincide with a lot of record.”) Both sites are zoned TSS (Traditional Shopping Street District).

There are two commercial buildings proposed for demolition. The first, located on the 302 S Paterson Street site, is a roughly 790-square-foot structure. City Assessor’s Office records do not include a date of construction. The second building, located on the 826 Williamson Street site, is a roughly one-story, 2,950-square-foot structure which City Assessor’s Office records note was originally constructed in 1955 and was converted from a gas station/auto repair center. Photos provided by the applicant of the existing structures are available [here](#) under Legislative file [77015](#).

Once demolished, the applicant proposes to construct a mixed-use building. While above grade, it will appear as two separate buildings, it is considered by Zoning to be a singular building. The below-grade parking level, which will span across both parcels, will be divided into two with a fire separation located along the common lot line. Both sections of this parking level will be accessed from S Paterson Street via a shared ramp. The underground parking deck will hold a total of 140 automobile stalls and 188 bicycle stalls – 54 auto and 101 bicycle parking stalls on the 826 Williamson Street portion and 86 auto and 91 bicycle stalls on the S Paterson Street portion. Multiple stair wells and an elevator (two for the 302 wing of the building) will provide access to the portion of the building located above each respective section of parking.

The 826 Williamson Street wing of the building will be four stories in height and contain 3,375 square-feet of commercial space (labelled as a ‘co-working space’ space in the submitted materials) located along Williamson Street sidewalk. The rest of the building will contain 55 units – nine “micro” units (small studios), 34 studios, nine 1-bedrooms and three 2-bedroom units. It will be clad primarily with two shades of brick – golden and medium-dark red – and dark grey horizontal lap siding. Silver colored metal panels will be used as a highlight material between the second and third floor windows.



Image 1: The subject parcel, while considered one zoning lot, is comprised of two parcels. Only the Williamson Street parcel is located in the Third Lake Ridge Local Historic District.

The 302 S Paterson wing will be five stories in height and contain 864 square-feet of commercial space located along the S Paterson Street sidewalk. Submitted materials state that that space will be used for either a retail, leasing, or commons space. The rest of the first floor as well as the upper floors will contain a total of 133 units – 5 studios, 87 1-bedroom and 41 2-bedroom units. The building’s cladding will vary by section. The east and west third of the building will be clad primarily with grey vertical metal siding and grey metal panels with metal paneling of various shades of green used above the windows as an accent material. The middle third of the building will be clad with a beige-colored brick with grey metal panels as an accent material between the upper story windows.

An outdoor patio with various planters, seating, and cooking amenities will be located between the two buildings.

A separate drive aisle, accessed from Williamson Street, will be located to the west of the Williamson Street wing and provide access to eight surface parking spaces. An aerial fire access lane from S Paterson Street (for use only by fire trucks) will be located along the northern property line and run roughly half way down the building.

Finally, the applicant is also requesting approval of a two-lot certified survey map to dissolve the underlying lot lines and update the various easements on each of the two properties – 826 Williamson Street and 302 S Paterson Street.

Analysis

This request is subject to the approval standards for Demolition Permits, Conditional Uses, and Certified Survey Maps.

Conformance with Adopted Plans

For the 826 Williamson Street parcel, the 2018 [Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU), which it describes as 2-4 stories and up to 70 dwelling units per acre. For the 302 S Paterson Street parcel, it recommends Community-Mixed-Use (CMU), which it describes as 2-6 stories and up to 130 dwelling units per acre. Consistency with the Comprehensive Plan is discussed further below.

The [Williamson Street Design Guidelines \(BUILD II\) Plan](#) (2004), for the buildings located along the north side of the 800 and 900 blocks of Williamson Street, recommends flat-roofed three story structures. For the 302 S Paterson Street parcel, which falls in Zone II on the map on Page 31, the Plan recommends a maximum of three stories but states that if a fourth story is allowed – for either affordable housing, preservation, or structured parking bonuses - the fourth story *“must be stepped back from the street such that it cannot be seen at sidewalk level from the opposite side of the street. In any case, the setback for a fourth floor in the 800 and 900 blocks of Williamson Street will be at least 45 feet from the property line for residential structures and 30 feet for mixed-use, flat-roofed structures.”*

Finally, the [East Rail Corridor Plan](#) (2004), which only provides a recommendation on the 302 S Paterson Street parcel, recommends Employment Uses. The plan locates this parcel within its East Wilson Street Employment District – which comprises the three half-blocks between Blair Street and S Paterson Street on the south side of what is currently the Capital City Multi-Use Path. For this employment district, on page II-19, the Plan states, *“Because of its proximity to the MG&E coal-fired electrical generation plant, the railroad tracks [...], and the busy Blair Street intersection, these blocks are not recommended for residential development, but have the potential to provide sites for relatively high-intensity employment. Although the Williamson Street BUILD Committee identified housing as well as employment as potential uses on these blocks, the Advisory Committee considers non-residential development to be the most appropriate use.”*

Staff note that at the time that the East Rail Corridor Plan was developed and adopted, properties in the East Wilson Street Employment District were considered to be less appropriate for residential development due to their proximity to the Madison Gas & Electric Blount Street Station power plant. At that time, the plant, which is located north of the subject site across the path and railroad corridors, burned coal as its primary source of fuel, and it was felt that the addition of residential uses immediately downwind of the plant would not be the most appropriate land use given the potential environmental and aesthetic impacts the plant could cause future residents. However, subsequent to the adoption of that plan, MG&E converted the plant to burn natural gas as its primary fuel, which makes the presence of residential uses on this block much less of a concern than previously.

Staff note the subsequent Comprehensive Plan established that mixed-use development, with residential uses, are considered appropriate land uses at these sites.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. The Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests and find them met in order to approve. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison. The statement of purpose in Section 28.185 states, in part:

“The purpose of this section is therefore to ensure the preservation of historic buildings, encourage applicants to strongly consider relocating rather than demolishing existing buildings, aid in the implementation of adopted City plans, maximize the reuse or recycling of materials resulting from a demolition, protect the public from potentially unsafe structures and public nuisances...”

On balance, staff believes that standards can be found met and provides the following additional information.

In regards to Standard 1 related to the possible building relocation efforts, the Plan Commission is required to consider any information provided related to possible relocation activities. In the submitted materials, the applicant states that the relocation of the structures was considered but it was determined to be economically unfeasible to more or reuse either of the structures.

In regards to Standard 6 related to the condition of the buildings proposed for demolition, Planning Division staff have not received any comments from City Building Inspection, Fire, or Police. However, in the submitted information, the applicant provides [photos](#) of the existing structures and notes that the buildings are “*outdated and in need of major repairs and updates.*”

Related to the historic value of the structures, staff notes Standard 4 states:

“The Plan Commission has received and considered the report of the City's historic preservation planner regarding the historic value of the property as well as any report that may be submitted by the Landmarks Commission.”

At its March 6, 2023 meeting, the Landmarks Commission reviewed the proposed demolitions and a copy of the report of the Landmarks Commission can be found under Legislative File [75031](#) and is linked [here](#). The Landmarks Commission voted to recommend to the Plan Commission that the buildings at 302 S Paterson Street and 826 Williamson Street have no known historic value.

Standard 7, which includes references the standards 1-6 states that *“The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison.”*

Given the findings of the Landmarks Commission and information provided by the applicant, Staff believe the demolition permit standards can be found met.

Conditional Use Standards

The Plan Commission shall not approve an application for a conditional use unless it can find that all of the standards found in Section 28.183(6)(a), Approval Standards for Conditional Uses, are met. That section states: *“The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan, including design guidelines adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the [standards for approval in Section 28.183(6) are met].”*

On balance, staff believes that the standards can be found met, but provide the following additional discussion related to Standards 9 and 12:

Standard 9 states, in part:

“When applying the above standards to any new construction of a building or an addition to an existing building 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.”

Staff first notes that the Williamson Street BUILD II Plan recommends a 30-foot building step back from Williamson Street property line at the fourth floor for mixed-use, flat-roofed structures. Staff point out that the Williamson Street wing’s fourth floor is indeed set back 30 feet from the Williamson Street property line. Additionally, staff notes that both of the proposed building wings consist of mixed-use development with ground floor commercial and residential units – which is consistent with the Comprehensive Plan’s Neighborhood Mixed Use (NMU) and Community Mixed-Use (CMU) recommendations for the Williamson Street and S Paterson Street lots, respectively.

Staff note that the Landmarks Commission, at their meeting on February 6, 2023, approved a Certificate of Appropriateness with the conditions regarding the portion of the development within the historic district that final lighting and building designs showing mechanicals be provided to staff for administrative approval, materials specs be updated to show smooth-surfaced or wire-brushed appearance for wood-appearing materials, and complete photo documentation of the existing structure be provided prior to demolition. (Legistar File [75230](#))

However, staff has concerns regarding the design and articulation of the S Paterson-facing facade. To clarify, staff is NOT requesting any modifications to the items reviewed and approved by the Landmarks Commission. Staff’s primary concern is regarding the S Paterson façade (North East) which is outside of the historic district. While other elevations, including the longer elevations along the bike path, are more articulated and ornate, this prominent street-facing elevation includes a relatively simple pallet. As proposed it includes a single-story brick base, with four levels of grey vertical metal panels, and an off-set window pattern. Staff does not believe that the

current composition adequately “reads” as a prominent front façade. Even compared to adjacent facades that predominantly feature the predominant metal panel composition, staff believes that this façade could be enhanced with a different organization of materials. Considering that there are other metal buildings within close proximity, staff is not opposed to the use of metal, though would recommend that the better organize the façade into different vertical bays or sections. This may be possible through a more subtle differentiation in the grey fields as done on other walls. Staff have recommended a condition that this façade be revised to reorganize materials, colors, or otherwise make adjustments to this façade.

Next, staff provides the following related the consideration of excess height on the Paterson-facing wing. Standard 12 states:

“When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.”

In considering the extra height, staff acknowledges the inconsistency with the BUILD II plan. This inconsistency does not preclude this standard from being found met, though careful consideration should be given to the surrounding context and resulting impacts.

The entire subject parcel is located within the recently-adopted Transit-Oriented Development (TOD) Overlay District. Buildings in the TSS District up to four stories / 60 feet are now permitted by right. As a result, it is only the five-story portion on Paterson wing that requires a conditional use for the excess height. While Staff acknowledge that the five-story height element is one-story taller than the BUILD II Plan recommends, Staff note that the height of both buildings wings is consistent with the more contemporary Comprehensive Plan’s recommendations.

Staff also note that there is nearby precedence for five-story buildings being constructed along the Capital City Path and railroad corridor as there are two such buildings - the Livingston Place building (302 S Livingston Street) and the Old Seeds Building (722 Williamson Street) - located on the next block to the west, between S Livingston and S Blount Streets. While the BUILD II plan recommended up to five stories for that block, staff believes that the context between these properties are similar and height relationship to Williamson Street is arguably similar.

With regards to other impacts, the applicant has not provided other information, including a study of additional shadow impacts for staff to determine whether the proposed additional story would provide significantly different impacts from what is otherwise permitted. At the time of report writing, such information has been requested from the applicant.

In addition to design and height considerations, staff note a few other conditional use related considerations.

Regarding the overall density of the proposal, while the 826 Williamson Street wing’s 55 units equates to roughly 90 dwelling unit per acre (which is 20 units per acre more than the Plan’s recommendation for NMU Development), the S Paterson’s Streets 133 units on the 1.2-acre site works out to 110 units per acre (roughly 20 units per acre under the Plan’s recommendation for CMU development.) As the resulting density for the entire development is just below the maximum recommended by plans, staff do not have concerns on that aspect of the request.

Regarding the conditional use requests for the non-residential uses occupying less than 50 percent of the ground-floor frontage facing the primary street, for the Williamson Street frontage, the co-working space occupies roughly 40 percent of the approximately 145-foot façade. For the façade along S Paterson Street, the space labelled as 'retail/leasing/commons' on the plans occupies exactly 50 percent of that building frontage. Staff does not have concerns regarding that aspect of the request.

In considering the Conditional Use standards, given the building's 30-foot step back from the Williamson Street property line at the fourth floor level (which is recommended by the [Williamson Street Design Guidelines \(BUILD II\) Plan](#)), the general consistency with the Comprehensive Plan's height and massing recommendations, the nearby five-story buildings fronting the bike path, and subsequent changes to support mixed-use development in this corridor, Staff believe that on-balance, the conditional use standards can be found met with the recommended conditions.

Land Division Standards

The applicant has submitted a certified survey map to dissolve the underlying lot lines and update the various easements of the two properties – 826 Williamson Street and 302 S Paterson Street. The size of the parcels is not proposed to change. M.G.O. Section 16.23(5)(g) provides the process for certified survey maps. Staff believe that all applicable standards for land divisions can be found met, subject to the comments recommended by reviewing agencies. Staff note the Landmarks Commission approved a Certificate of Appropriateness for the Certified Survey Map – for just the 826 Williamson Street parcel - at their June 6, 2022 meeting. Staff note that again, since the Landmarks Commission only reviews land combinations and division located within local historic districts, only the Williamson Street portion of the CSM was reviewed. (Legistar File [71567](#))

Public Input

At the time of report writing, staff have only received one public comment – a letter of support from the Marquette Neighborhood Association for the proposal. This comment has been added to the project's [Legistar File](#) for the conditional use request.

Conclusion

The applicant is requesting approval of a demolition permit and three conditional uses in order to construct a mixed-use building at 826 Williamson Street and 302 S Paterson Street with a four-story wing consisting of approximately 3,734 sq. ft. of commercial space and 55 apartments on Williamson Street in the Third Lake Ridge Historic Dist. and a five-story wing consisting of approximately 864 sq. ft. of commercial space and 133 apartments on S Paterson Street. The applicant is also requesting approval of a two-lot certified survey map to dissolve the underlying lot lines and update the various easements on each of the two properties – 826 Williamson Street and 302 S Paterson Street. The related requests are subject to the approval standards for demolition permits, conditional uses, and land divisions.

As discussed in this report, given the building's 30-foot step back from the Williamson Street property line at the fourth floor level (which is recommended by the [Williamson Street Design Guidelines \(BUILD II\) Plan](#)); the general consistency with the Comprehensive Plan's height and massing recommendations; the nearby five-story buildings fronting the bike path; the fact that the nearby MG&E plant no longer burns coal as its primary fuel source (which was the primary reason why the [East Rail Corridor Plan](#) recommended against residential uses in the area); and the findings by the Landmarks Commission, Staff believe the conditional use standards can be found met. Staff also believe the approval standards for demolition permits and land divisions can also be found met.

Recommendation

Planning Division Recommendation (Chris Wells, (608) 261-9135)

The Planning Division recommends the following:

- That the Plan Commission find that the standards for demolition permits are met and **approve** demolition of two commercial buildings at 826 Williamson Street and 302 S Paterson Street;
- That the Plan Commission find that standards for conditional uses are met, and **approve** three requests for a mixed-use building in the Traditional Shopping Street (TSS) District – 1) to exceed four stories and 60 feet in height in the Transit-Oriented Development (TOD) Overlay District; 2) to contain more than 60 dwelling units; and 3) to have non-residential uses occupying less than 50 percent of the ground-floor frontage facing the primary street – all to construct a mixed-use building at 826 Williamson Street and 302 S Paterson Street with a four-story wing consisting of approximately 3,734 square-feet of commercial space and 55 apartments on Williamson Street in the Third Lake Ridge Historic District and a five-story wing consisting of approximately 864 square-feet of commercial space and 133 apartments on S Paterson Street;
- Finally, should the other aspects of the proposal be approved, the Planning Division believes the technical standards for land divisions can be found met and recommends the Plan Commission should forward the Certified Survey Map to the Common Council with a recommendation of **approval**.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning **on the following page** for the land use requests, and on **page 19** for the CSM.

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

The following conditions have been submitted by reviewing agencies:

Land Use Request – Demolition Permit and Conditional Uses

Planning Division Recommendation (Chris Wells, (608) 261-9135)

1. Prior to final sign-off and permitting, the S Paterson-facing façade (North East) elevation shall be revised for approval by the Planning Division Director or Designee. The intent is to enhance this primary street frontage. The revised design shall provide enhanced vertical organization and/or elements. This may be achieved through various methods including (but not limited to) the incorporation of a different color(s) band (preferably within the pallet already established), reorganization of materials, or an increase in the amount of masonry, alternative window locations, or other techniques.

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

2. Offsite sanitary sewer improvements by the developer may be required as a condition for development. Applicant shall submit projected wastewater flow calculations for the proposed development to Mark Moder, mmoder@cityofmadison.com

3. The area adjacent to this proposed development has been determined by City Engineering to have a known flooding risk. Engineering has set the minimum protective lowest entrance elevation opening at an elevation of 852.5. This standard is not intended to be protective in all cases. The Developer is strongly encouraged to complete their own engineering analysis to determine and meet a protective elevation which they are comfortable with. In no case shall the protective elevation be set below the minimum threshold determined by City Engineering.
4. 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)
5. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer along Williamson St and Paterson St.
6. 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))
7. 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))
8. 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.
9. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
10. 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.
11. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
12. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.

The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.

13. 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)
14. 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)
15. 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.
16. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
17. 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.

18. 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.

19. 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 Jeffrey Quamme, (608) 266-4097)

20. Grant a Public Sidewalk and Bike Path Easement(s) to the City on the face of the pending Certified Survey Map along Williamson to provide the required terrace required by Traffic Engineering.
21. The access drive improvements along the southwesterly side connecting to Williamson St are very near the property line. The Applicant/Consultant/Contractor/Owner are collectively responsible to obtain any required permission or easement if any adjacent lands are to be disturbed during construction of this project.

22. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to common parking garage access, parking, utilities, common areas/amenities, storm sewer, storm water management and common underground garage wall that are necessary to accomplish the land division and the site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
23. The Williamson St proposed building address is 838 Williamson St. The S Paterson St proposed building address is 306 S Paterson 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.
24. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
25. Submit a site plan and a complete set of building Floor Plans (for each individual building) 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 an interior and building addressing plan for the proposed multi-building complex. Each building page should include a key locator and north arrow. Also, include a unit matrix for the 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 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, (608) 266-5987)

26. 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 Williamson Street
27. 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.
28. The applicant shall work with Traffic Engineering and the Fire Department on determining the final specifications of the proposed northern driveway, which is intended to be used for Fire protection services only.

29. Note: The applicant shall be made aware that little to no access to the Capital City Trail/E. Wilson Unimproved Right of Way will be granted for construction purposes. The applicant shall be financially responsible for any damages to any of the plantings in this Right of Way as a result of construction. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
30. 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.
31. 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.
32. 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.
33. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
34. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
35. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
36. 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.
37. 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.
38. 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.

39. 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.
40. 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.
41. "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.
42. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
43. 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)
44. The applicant shall provide a clearly defined 5' walkway 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.
45. 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 Williamson 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.

Zoning Administrator (Contact Jacob Moskowitz at (608) 266-4560)

46. Label Electric Vehicle (EV) ready and EV installed spaces on the plans. A total of 15 EV ready and 3 EV installed spaces are required.
47. Provide the minimum required number of bicycle parking spaces distributed as both Short Term and Long Term bicycle parking for the residential and commercial uses, as required per Sections 28.141(4) and 28.141(11). A minimum of 188 resident bicycle parking spaces are required plus 19 guest stalls. A minimum of 90% of the resident stalls shall be designed as long-term parking, and the guest stalls shall be short-term parking. 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. A minimum of 4 short-term bicycle stalls shall be required for the commercial uses. Identify and dimension the bicycle stalls, including the access aisles, on the final plans. Provide a detail of the bicycle rack design.

48. 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.
49. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

50. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at jtlarson@cityofmadison.com or (608) 266-5946.

Parks Division (Contact Kate Kane, (608) 261-9671)

51. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 23013 when contacting Parks about this project.

Forestry (Contact Brad Hofmann, (608) 267-4908)

52. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
53. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
54. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

55. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
56. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
57. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
58. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608) 266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
59. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
60. 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, (608) 261-9835)

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| 61. Update Utility Plan to indicate the type of material for the water service and the type of connection to the existing water main. |
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62. 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.
63. 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.

The following agencies have reviewed this request and has recommended no conditions of approval:

Planning, Metro

Certified Survey Map

Engineering Division (Main Office) (Contact Brenda Stanley, (608) 261-9127)

64. Based on the WDNR's BRRS record (#03-13-000554 STRUCK & IRWINS), the property contains residual contamination. Submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (e.g. vapor mitigation, dewatering) to Brynn Bemis (608.695.1385, bbemis@cityofmadison.com)
65. 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)
 66. Construct sidewalk, terrace, curb and gutter and pavement to a plan as approved by City Engineer.
 67. 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))
 68. 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 – Mapping (Contact Jeffrey Quamme, (608) 266-4097)

69. Add text to the Ingress-Egress Easement per Doc No 3941897 that it does not benefit lands within this Certified Survey Map. Also remove note 5 on sheet 6.
70. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to common parking garage access, parking, utilities, common areas/amenities, storm sewer, storm water management and common underground garage wall that are necessary to accomplish the land division and the site development as proposed prior to final sign off. The document(s) shall be executed and recorded subsequent to the CSM recording and prior to building permit issuance.
71. Show the existing communications line that is the centerline of the easement per Doc No 4965434. Remove that portion of the easement within the E Wilson St right of way. This is a public right of way and per the document, the easement does not include public right of ways and lands of local government entities.
72. 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 Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
73. 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 Jeff Quamme (jrquamme@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.
74. The "recorded as" information shall include the original plat lot dimensions. (ie the 66', 132' etc) Also provide dimensioning to the adjacent monumentation shown on the map.
75. Correct the spelling of S Paterson St. Also the railroad label shall be revised to WisDOT Railroad (leased by Wisconsin Southern Railroad).
76. Provide a leader dimension for the width of the public sidewalk easement along Williamson St on sheet 2. Also provide a separate distinct line type for the easement. Also provide some approximate dimensions for the easement that lies within this CSM.
77. The Right of Way License appears to have terminated on Dec 31, 1982 per the terms of the agreement. Please confirm and if correct, remove from the Certified Survey map and Note 1 on sheet 6.
78. The SIP alteration per Doc No 4803202 does not encumber this property. Remove note 6 on sheet 6 accordingly.
79. Label all buildings within this CSM "To be Demolished".
80. Correct the Document No for the Original Plat of Madison to 102 in all instances on the CSM. Also on the header and legal description add text that it also lies within Govt Lot 5.
81. The title work and Owner / Mortgagee Certificates shall be updated with the required updated title report prior to final sign off.

82. Add the following text to the end of the Common Council Resolution: "and said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.
83. This Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
84. Submit to Jeff Quamme, 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:
 - a) Right-of-Way lines (public and private)
 - b) Lot lines
 - c) Lot numbers
 - d) Lot/Plat dimensions
 - e) Street names
 - f) 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 (Contact Sean Malloy, (608) 266-5987)

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| 85. 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 Williamson Street. |
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Parks Division (Contact Kathleen Kane, 608-261-9671)

86. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 23013 when contacting Parks about this project.
87. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
88. Prior to sign off on the CSM the applicant shall execute a declaration of conditions and covenants for impact fees.
89. The Parks Division shall be required to sign off on this CSM.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

90. Upon development, a separate water service lateral and water meter will be required to serve each parcel. The water laterals shall be directly connected to the public water main with the shut-off valve located in the public right-of-way (per PSC 185.52 (2)). A water lateral is not required if the parcel remains undeveloped.

Office of Real Estate Services (Contact Heidi Radlinger, (608) 266-6558)

91. Prior to approval sign-off by the Office of Real Estate Services, the Owner's Certificate 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). Certificate shall match owner of record title.

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.

92. A certificate of consent for all mortgagees shall be included following the Owner's Certificate and executed prior to CSM approval sign-off. If the CSM is signed electronically, a .pdf of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.
93. 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. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
94. 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.
95. 2022 real estate taxes are paid in full for the subject properties. 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. This includes property tax bills for the prior year that are distributed at the beginning of the year.
96. As of the date of this letter there are no special assessments reported on the subject parcels. If special assessments are levied against the property during the review period prior to CSM approval sign-off they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.
97. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report (3/14/2023) 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.
98. The owner shall email the document number of the recorded CSM to Heidi Radlinger as soon as the recording information is available.

The following agencies have reviewed this request and has recommended no conditions of approval:

Planning, Zoning, Assessor's Office, Fire, Forestry, Metro