

**PLANNING UNIT REPORT**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**October 19, 2006**

**ZONING MAP AMENDMENT (LEGISLATIVE FILE ID 04531) TO REZONE 301 SOUTH LIVINGSTON STREET FROM THE C2 DISTRICT TO THE PUD (GDP-SIP) DISTRICT:**

1. Requested Action: Approval of a request to rezone 301 South Livingston Street from the C2 General Commercial District to the PUD (GDP-SIP) Planned Unit Development (General Development Plan-Specific Implementation Plan) District to allow construction of a 39-unit mixed-use development on this lot.
2. Applicable Regulations: Section 28.12 (9) of the Zoning Code provides the process for zoning map amendments; Section 28.07(6) provides the requirements for the approval of Planned Unit Development applications.
3. Report Drafted By: Michael Waidelich, Principal Planner.

**GENERAL INFORMATION:**

1. Applicant: Scott Lewis, 106 East Doty Street , Madison, Wisconsin 53703.
2. Status of Applicant: Owner.
3. Development Schedule: Following project approvals.
4. Parcel Location: The east side of South Livingston Street, adjacent to the City bicycle path corridor located south of the Union Pacific Railroad tracks. Earlier phases of this development are located immediately south of the project site, with frontage on Williamson Street. Aldermanic District 6.
5. Parcel Size: Approximately 26,126 square feet.
6. Existing Zoning: C2 General Commercial District.
7. Existing Land Use: Vacant.
8. Surrounding Land Use and Zoning (See map):
  - North: City bicycle path, Union Pacific Railroad tracks, Madison Gas & Electric Company storage yards; all zoned M1 Limited Manufacturing District.
  - West: Surface parking lots, zoned C2 General Commercial District; primarily serving commercial and office uses in multi-story buildings fronting on Williamson Street, zoned C3 Highway Commercial District.
  - South: New multi-family residential buildings and a small commercial space in a historic building at the corner of Williamson and South Livingston Streets constructed as earlier phases of this project, zoned PUD-SIP.
  - East: Accessory industrial-commercial storage yards, zoned C2 General Commercial District.

9. Adopted Land Use Plan: The *East Rail Corridor Plan* recommends this property for Employment uses. The *Comprehensive Plan* also recommends this parcel for Employment uses, reflecting the recommendation in the *East Rail Corridor Plan*. The *Williamson Street Design Guidelines and Criteria for Preservation* recommends that uses on this property may be up to three stories in height, but provides that affordable housing, preservation or structured parking bonuses may be used to allow one additional story.
10. Environmental Corridor Status: No Environmental Corridors are designated on this property.

**PUBLIC UTILITIES AND SERVICES:**

The full range of urban services are currently available to this property.

**ANALYSIS and EVALUATION:**

Project Description

This is a request to rezone the property at 301 South Livingston Street from the C2 General Commercial District to the Planned Unit Development (General Development Plan-Specific Implementation Plan) District to allow construction of a mixed use project comprising about 6,600 square feet of commercial space and 39 rental apartment units. The apartment component of the project comprises about 26,600 square feet, not including 13,000 square feet in the parking garage. The project site of about 26,126 square feet is currently vacant and relatively flat, although the driveway at the south edges of the property has been graded as required to provide access to the underground parking garages for the existing residential developments on Williamson Street.

The proposed building is a large, integrated structure with a two-story component on the South Livingston Street frontage accommodating the proposed commercial uses, and a three-story residential component extending along the East Wilson Street frontage\* to the east property line. Small insets and step backs along the building facades provide visual interest and help to break up the building mass, as does the use of both corrugated metal panels and large brick facing on the facades. The building has a flat roof extending out beyond the facade walls. The flat roof and choice of materials will create a building that is more "industrial" in character than is typical of residential buildings. While an all brick building, for example, might fit in equally well with the older commercial buildings west of Livingston Street, and with the earlier phases of this project on the Williamson Street frontage, the proposed building design is also very appropriate in the context of the project location adjacent to railroad tracks and the Madison Gas & Electric generating plant.

The proposed mix of dwelling units includes six studio units, 27 one-bedroom units, and six two-bedroom units. This is a fairly typical mix in recent downtown and Isthmus housing projects, but Planning Unit staff note that this type of housing provides few opportunities for families that include children. There are laundry rooms on each floor, but no common areas or other amenities are included in the building. Staff does not disagree with the applicant's contention that there are a multitude of activities available in the surrounding neighborhood, but would prefer to see at least some type of expanded entrance lobby area or small waiting lounge included in projects of this size. Balconies are provided for most of the apartment units along the north side of the building, and these constitute the on-site usable open space for this development.

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\* For purposes of this report, the "East Wilson Street frontage" also includes the northern one-half of the blocks, or parts of blocks, where no roadway currently exists and only the bicycle path is located within the right-of-way.

Although Madison's inclusionary zoning ordinance does not apply to this proposed rental housing project, the applicant expects that more than 70 percent of the units will be affordable to tenants earning 60 percent or less of the county median income.

The commercial component of this mixed-use project is located in a two-story element at the western end of the site, adjacent to South Livingston Street. Each floor has approximately 3,300 square feet. There are three potential entrances to the ground floor space along Livingston Street, and an entrance to the second story commercial space is provided on the south facade. This is also the primary outside entrance to the residential apartments, but there will be a secured separation between the two uses.

A private driveway already partly constructed along the south side of the project site to provide access to underground parking for earlier phases of the project located on Williamson Street will be expanded to also provide access to thirteen surface parking stalls and a loading bay oriented along the south side of the new building. Five additional parking stalls are located at the entrance to the underground parking garage for the building, which is located near the eastern end of the structure. Thirty-five vehicle parking stalls will be provided in the underground garage, along with 24 bicycle/moped parking stalls. The intended allocation of the 53 total parking spaces is not specified in the application, but if 39 of the spaces were allocated to the 39 residential units, 14 spaces would be available to the 6,600 square feet of proposed commercial. While not a lot of parking, this amount may be adequate for this location, which has excellent transit, bicycle and pedestrian access and is located within walking distance of neighborhood shopping, services and amenities.

The application also proposes to modify the segment of South Livingston Street adjacent to the project to create seven "back-in" angled parking stalls on-street, in lieu of fewer parallel parking stalls. Back-in angled parking is relatively much less common than pull-in angled parking, but this design apparently was recommended by Traffic Engineering for safety reasons. (Note that approval of this Planned Unit Development would not provide the necessary permissions for any improvements or activities located within public rights-of-way or on public property.) The proposed street right-of-way and configuration does not provide for any type of cul-de-sac or turn around space to be constructed adjacent to the project in the event that the segment of South Livingston Street between East Main Street and East Wilson Street should be closed at a future time. The *East Rail Corridor Plan* recommended that this closing be considered in the event that the railroad tracks were relocated to a more northerly alignment, as also recommended in that Plan. At this time, however, near-term relocation of the railroad tracks appears unlikely. Traffic Engineering indicates that if it was decided to close Livingston Street in the future, a cul-de-sac or alternative type of turn around could be constructed instead within the East Wilson Street right-of-way.

Twenty-four bicycle/moped parking stalls are provided in the underground garage. The site plans also indicate 16 outside bicycle parking stalls at the northwest corner of the building, but additional permissions would be required to locate parking for a private project within the public right-of-way. The project description references 48 total bicycle parking stalls, but the location of the additional eight stalls isn't apparent from the plans submitted. Specific bicycle parking requirements are determined by the Zoning Administrator, but guidelines in the Zoning Code suggest that at least one per dwelling unit be provided, as well as some for the commercial uses. At this Isthmus neighborhood location, the proposed 48 bicycle parking stalls may be about right.

Because the building (or its shared driveway) extends very close to the property lines on all sides, only a minimum amount of foundation landscaping is provided on the north perimeter, with more extensive landscaping provided in planters along the south side of the building adjacent to the

internal driveway. Additional landscaping, including canopy trees and flower beds, is also proposed north of the property within the public right-of-way, but additional City approvals would be required for this, and it isn't clear whether the developer intended to pay for the installation and maintenance of this landscaping. It also isn't known if the landscaping shown on the site plan is consistent with a plan for enhanced landscaping along the bicycle path generally. Landscaping enhancements to the bicycle path corridor were recommended in the *East Rail Corridor Plan*, but presumably such landscaping would be installed in accordance with a long-term landscape plan for the entire corridor as opportunities and funds became available, rather than on an *ad hoc* basis.

### Consistency with Adopted Plans

Three adopted City plans and guidelines are applicable to this project: The *East Rail Corridor Plan*, adopted in January 2004; the *Williamson Street Design Guidelines and Criteria for Preservation-600 through 1000 Blocks*, adopted in January 2005, and the *City of Madison Comprehensive Plan*, adopted in January 2006. The design of the proposed project is generally consistent with the applicable recommendations of the *Williamson Street Design Guidelines*, but the project is only partially consistent with the land use recommendations of the *East Rail Corridor Plan* and the *Comprehensive Plan* (which incorporates the *East Rail Corridor Plan* land use recommendations).

The *East Rail Corridor Plan* made recommendations for a large area generally bounded by Blair Street, East Washington Avenue, the Yahara River, and the mid-block line between East Wilson Street and Williamson Street. Maintaining and enhancing employment and business development were major objectives of the *East Rail Corridor Plan*, which specifically recommended that certain areas within corridor be developed or redeveloped primarily with employment uses, rather than with residential uses. One reason for this recommendation was recognition that the current demand for Isthmus housing sites was much stronger than the current demand for Isthmus business sites, and the concern that suitable sites for future business development and expansion might not be available in the longer-term if residential uses were allowed at all locations in the near term. The northern one-half of the 600, 700 and 800 blocks between Williamson Street and East Wilson Street were seen as more appropriate for continued non-residential uses for a variety of reasons, including relative proximity to the downtown, consistency with the current land uses and greater compatibility with the adjacent power plant and industrial storage yards.

The *Williamson Street Design Guidelines* made land use and design recommendations for the 600 through 1100 blocks of Williamson Street, but also included recommendations for the East Wilson Street frontage because it was considered important to address the entire blocks along the north side of Williamson Street. The *Design Guidelines* recommended mixed use or residential uses as appropriate for the entire 600, 700 and 800 blocks on the north side of Williamson Street, including the East Wilson Street frontage---partly to maintain or enhance a mixed-use rather than a commercial character along Williamson Street and to support the neighborhood goal of increasing the supply of housing---particularly affordable housing. In reviewing the draft *Design Guidelines*, the Plan Commission and Landmarks Commission addressed the differences between the *Design Guidelines* and *East Rail Corridor Plan* recommendations for the 600 through 1100 blocks. The adopting resolution established that, at locations where the recommendations in the two plan differ, the land use recommendations in the *East Rail Corridor Plan* shall prevail, and the design and historic preservation recommendations in the *Williamson Street Design Guidelines* shall prevail.

The applicant was aware of the different recommendations in the two documents, and raised the issue of a potential conflict between the *East Rail Corridor Plan* and the later phases of his planned essentially-residential project at the time that the both *East Rail Corridor Plan* and the *Williamson*

*Street Design Guidelines* were being considered and adopted. However, the adopting commissions elected not to approve modifications to the plan recommendations that could have accommodated residential uses on the East Wilson frontage under some conditions. As described in the application materials, the applicant subsequently made a concerted effort to explore potential employment uses on the property. As the applicant notes, the limited public street access to the site creates additional development challenges, and these may be greater for non-residential than for residential uses—although this might affect commercial uses requiring frequent customer access more than other potential types of employment. The limited access may be partly a consequence of how the earlier phases of the project were developed, but that doesn't alter the situation.

The current mixed-use proposal, while far from being primarily an employment land use, includes about 6,600 square feet of non-residential space in a two-story element on the South Livingston Street frontage. This component of the project utilizes about one-quarter of the total East Wilson Street frontage and about 20 percent of the building square footage. The largest portion of the project, however, comprises the three-story residential element—which utilizes about 80 percent of the total building area and three-quarters of the frontage facing the bicycle path, although the primary entrance to the apartments is on the south side of the building facing the internal driveway.

Throughout the process of developing the *East Rail Corridor Plan*, and during the review of the *Williamson Street Design Guidelines*, the Madison Gas & Electric Company opposed the idea of residential development on the 600, 700 and 800 blocks along the East Wilson Street corridor. In addition to strongly supporting the employment goals of the *East Rail Corridor Plan*, MG&E was concerned with the potential for future resident complaints about impacts from the generating plant or the railroad operations servicing the plant. The application notes that MG&E now supports the current mixed-use project proposal, including the substantial residential component facing the bicycle path and MG&E properties. A letter received from MG&E states that reasons for supporting the current proposal include the applicant's efforts to reduce the residential component of the project compared to earlier, purely residential proposals, recognition that any project must be cost-effective, and shared support for the general objective of encouraging higher-density mixed-use development in the East Isthmus area. The planned switch from coal to natural gas as the fuel for the generating plant may also diminish the likelihood that future residents would have concerns regarding possible impacts from the plant, but this is not cited in the MG&E letter.

The current proposal has the general support of the neighborhood and the District Alder.

### **CONCLUSION:**

This proposed mixed-use project will provide additional housing opportunities in the neighborhood (at least for adults), including more affordable housing than has been included in many other recent projects in the east Isthmus area. The non-residential component of the project will also provide new spaces for business development and could contribute additional vitality and activity to the Williamson Street scene—although this will partly depend on the types of uses actually established in these spaces. Both of these are important neighborhood objectives.

The building massing and design of the proposed project, while somewhat atypical, are interesting and consistent with the somewhat gritty industrial-commercial context of the East Rail Corridor. The project also appears to be consistent with the applicable design recommendations of the adopted *Williamson Street Design Guidelines and Criteria for Preservation*. Despite this, however, the Planning Unit staff consider some elements of the project design to be relatively weak. In particular, the main entrance to the apartments seems obscure and not very engaging, and the area facing the

internal driveway appears somewhat grim. The latter condition may have been largely dictated by the design for this access driveway approved in earlier phases of the project, and the proposed planters may help to improve the appearance. Staff are also concerned with the limited amount of on-site landscaping and the apparent intent to depend upon landscaping placed in the bicycle path right-of-way to soften the north building facade and provide some screening of the view of the industrial storage yards north of the bicycle path. If planting in the right-of-way is approved, staff recommend that at least a general theme and concept plan for additional landscaping along the entire bicycle path corridor be prepared and approved by the appropriate City boards or commissions; and that any landscaping installed adjacent to particular properties be consistent with this concept plan.

The most difficult issue to resolve in considering this proposed project is its lack of consistency with the recommendation in the adopted *East Rail Corridor Plan* that only non-residential employment uses be located on the frontage of the 600, 700 and 800 blocks facing East Wilson Street and the bicycle path. It should be noted that this recommendation did not have universal support at the time, particularly with the knowledge that an alternative residential proposal was in the process of being developed for the subject property; but this potential conflict was specifically re-considered at the time the *Williamson Street Design Guidelines and Criteria for Preservation* were adopted, and the decision was made to have the *East Rail Corridor Plan* land use recommendations prevail. Staff consider the recommendation that development approvals must be consistent with adopted City plans to be one of the most important recommendations in the new *Comprehensive Plan*, but it is also one of the most challenging. The staff and the Plan Commission are still working through how the review of projects not fully consistent with an adopted plan should be handled---particularly when it is realized that not all areas have a current plan, and that resources are not currently available to prepare and maintain current plans for every area that should have one.

In the subject case staff consider several factors specific to this proposal to be relevant:

- The proposed development is the third phase of a large, primarily-residential project that began prior to adoption of the *East Rail Corridor Plan*, although the developer was aware of the planning process that was underway.
- The approved and now constructed earlier phases of the project fronting on Williamson Street created a severely constrained site with fewer opportunities for a creating an economically viable through-block mixed-use development with a substantial employment component along the East Wilson Street right-of-way frontage.
- Although primarily interested in residential development, the developer, along with other potential investors, seriously explored alternatives comprised substantially or entirely of non-residential or employment uses. The developer concluded that none of these alternative were economically viable.
- The developer worked with Madison Gas & Electric, the District Alder, City staff, and neighborhood representatives to develop a project that had a larger non-residential component, and in the end, came up with the current proposal. None of the other participants offered an alternative that was determined to be more viable.
- While the non-residential component of the project is relatively modest, it does provide a two-story commercial building element at the most visible corner, closest to the MG&E generating plant.

- The objectives of the *East Rail Corridor Plan* include both employment and residential development within the planning area, and the project as proposed supports the overall goals of the plan, although not consistent with the very specific land use recommendation for the East Wilson Street frontage.
- Concerns that approval of this project might establish a precedent for not following adopted plan recommendations at other East Rail Corridor locations could be reduced by carefully crafting a revised plan recommendation that provides some limited flexibility while still maintaining the basic land use recommendation. The revised recommendation would not necessarily have to allow, or be interpreted to allow, a proposed development similar to the subject proposal at other sites recommended for employment uses, or a proposed development that included any residential uses, for example. The revision would just provide the flexibility to consider some variety in specific situations that warrant it.

Because of factors that are unique to this proposed project, Planning Unit staff are not necessarily opposed to the proposed project, but are not comfortable recommending approval of a project that is not consistent with the applicable recommendations in adopted plans for the area---in this case, the specific recommendation that residential uses not be located facing East Wilson Street in this block. The Planning Unit would not object, however, to a Plan Commission determination that this project should be approved, and that an appropriate amendment to the *East Rail Corridor Plan* be prepared that provides sufficient flexibility to encompass the current proposal within its recommendations. It is not necessary that this amendment be considered concurrently with the project.

Any plan amendment made in response to a project proposal needs to consider how the plan can be amended so that its recommendations will allow the types of projects that the Plan Commission and the community want to support, but without opening the door unintentionally to more projects that vary from the underlying intent of the recommendations. In the subject case, staff continue to think it appropriate that along East Wilson Street, employment uses be concentrated closer to downtown, adjacent to the industrial uses represented by the MG&E generating plant and storage yards; and that residential uses be concentrated farther east, adjacent to the planned central park and the Yahara River Parkway. Staff recommend, therefore, that if the 301 South Livingston Street project is approved, a corresponding revision to the *East Rail Corridor Plan* be considered that would provide some limited flexibility in the recommended land uses in the 600, 700 and 800 half-blocks facing East Wilson Street, rather than the alternative of changing the basic recommendation for these half-blocks from Employment to some other land use.

There remains a concern that in the present market, even allowing consideration of predominantly residential projects at locations recommended for employment uses might encourage developers to look to those sites as residential development opportunities, rather than work to help generate and serve a demand for business development; and that this might eventually limit future employment growth in one of the few redevelopment locations where substantial employment growth is still possible by using up the most promising sites. If the downtown/Isthmus demand for business development sites and residential development sites were more balanced this might be less of a concern. In the present climate, however, the demand is very unbalanced; and as employment and business growth remains a very important long-term goal for the East Rail Corridor, future development sites need to be reserved for the recommended employment uses. Flexibility for some limited mixed-use development within the designated employment areas can still be provided, and, in fact, already is provided within the *East Rail Corridor Plan* recommendations. The subject property is an exception in that no flexibility was offered in regard to the East Wilson Street frontage.

**RECOMMENDATION:**

If the Plan Commission determines that, in the context of the specific project site, the proposed mixed-use development project reasonably meets the intent of the land use recommendations of the *East Rail Corridor Plan*, the application to rezone property located at 301 South Livingston Street from the C2 General Commercial District to the PUD (GDP-SIP) Planned Unit Development (General Development Plan-Specific Implementation Plan) District should be recommended for approval, subject to:

1. Comments of the reviewing agencies.
2. The zoning text for the Planned Unit Development shall be revised to indicate that within the residential portions of the development, the allowed uses are multi-family residential uses not to exceed the density provided in the approved plans; and within the commercial portions of the development, the allowed uses are the non-residential permitted uses as allowed in the C1 Limited Commercial District. Accessory uses are allowed in both cases.
3. Additional approvals from the appropriate City agencies, boards, commissions and committees will be required for any intended improvements on public property or within public rights-of-way. It is recommended that any intended improvements along the bicycle path corridor be consistent with a concept plan for the entire corridor.

If this project is approved, the Planning Unit will prepare an appropriate amendment to the *East Rail Corridor Plan* for future consideration.

If the Plan Commission determines that the proposed project does not reasonably meet the intent of the land use recommendations of the *East Rail Corridor Plan*, the recommendation should be to place the application on file without prejudice.



## EAST RAIL CORRIDOR PLAN

Madison Gas & Electric is currently preparing a Campus Master Plan and Campus Enhancement Plan to help them realize the potential of their site. Possible elements of these plans that may be initiated within the relatively near term include:

- Enhance Blount Street as a main entry to MG&E offices and facilities, and as an important link across the East Rail Corridor.
- Develop Railroad Street as a pedestrian-friendly corridor and entry to the MG&E complex of buildings and facilities.
- Identify and improve the existing building stock that is to be retained.
- Provide adequate screening for the storage yards expected to remain for the foreseeable future.
- Identify East Main Street redevelopment opportunities--especially by looking for ways to fill some of the huge building gaps along the frontages.
- This could include development of additional structured parking, so that some of the existing surface parking lots could be redeveloped with higher-intensity uses.
- Future enhancements to other "entry points" to the MG&E Campus and the East Rail Corridor, such as corner sites on East Washington Avenue.

In addition to planning physical improvements within the Campus area, MG&E has made a continuing commitment to revitalization of the East Rail Corridor, including the following specific activities:

- Continue to develop and maintain planning information to support the objective of high-density development in the Corridor.
- Continue to explore opportunities for diversification within the MG&E Central Campus and analyze the feasibility of redevelopment of other MG&E-owned properties.
- The East Rail Corridor will be a focus of MG&E Economic Development Unit activities.
- MG&E will work cooperatively with the City and the private sector on a focused economic development initiative for the East Rail Corridor area.

The MG&E Campus is a key location for creating improved linkages between Downtown and the rest of the East Rail Corridor. These important linkages should be maintained and enhanced-as development and redevelopment occurs within the Campus area---and particularly along the primary East Main Street entryway to the Rail Corridor.

### **East Wilson Street**

The East Wilson Street employment area comprises the three half-blocks along the south frontage between Blair Street and Paterson Street [See Map 2-6]. There is no roadway in the Wilson Street right-of-way fronting these three blocks and development on the north half of these blocks will front on the bike path open space corridor. To provide vehicle access to future development, the East Rail Corridor Plan supports the Williamson Street BUILD Committee recommendation that a new mid-block "urban lane" system be established to serve the 700, 800 and 900 blocks of East Wilson Street.

## Recommended Land Uses

Because of its proximity to the MG&E coal-fired electrical generation plant, the railroad tracks (which will remain at this location even if tracks to the east are relocated north to Railroad Street) 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.

## Recommended Development and Design Standards

The recommended building and design standards for the East Wilson Street district are:

1. Between Blair Street and Livingston Street (600 and 700 blocks)
  - a. The maximum building height should be 5 stories, with up to 7 stories allowed if structured or underground parking is provided. No building element shall exceed 85 feet in height.

The Williamson Street BUILD Committee report recommends the same maximum building heights, but includes two additional criteria that can earn the bonus stories.
  - b. The former McCormick Harvester warehouse building on Blount Street is recommended for preservation as a historic building and is not recommended as a potential redevelopment site.
2. Between Livingston Street and Paterson Street (800 block)
  - a. The maximum building height should be 3 stories, with 4 stories allowed only if underground or structured parking is provided.<sup>1</sup>
  - b. Building elements of more than three stories must be set back at least 45 feet from Williamson Street.

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<sup>1</sup> The recommendation in the *East Rail Corridor Plan* as adopted in January 2004 also included the provision that one or two additional bonus stories (to a maximum building height of 5 or 6 stories) may be allowed for projects which provided, in addition to underground or structured parking, either business incubator space or at least 20 percent affordable housing as defined in the City's draft inclusionary zoning ordinance (but not on the East Wilson Street frontage), or both. However, as part of the January 18, 2005 adoption of the *Design Guidelines & Criteria: Williamson Street 600-1100 Blocks*, the Common Council specified that on the south frontage of the 600-1100 blocks of East Wilson Street, the design guidelines in that document shall prevail, rather than the design standards in the *East Rail Corridor Plan*, when the design recommendations in the two documents differ. As a result of this action, the effective building height standard applicable to the 800 block of East Wilson Street is 3 stories, with a maximum of 4 stories allowed if underground or structured parking is provided.

## C. CRITERIA FOR REVIEW OF NEW CONSTRUCTION

All new construction must be compatible with the historic character of the Third Lake Ridge Historic District. The criteria listed below are intended to promote construction that does not detract from the historic appearance of the neighborhood. It is not the intent of these criteria to create fake historic buildings, but to allow modern buildings to have their own style while still blending with the appearance of the historic buildings in the district. Modern materials that do not meet the exact requirements of the criteria but which are in harmony with the historic appearance may be considered on an individual basis under the variance procedure listed below.

**1. Maximum height.** The BUILD area has been divided into five zones with different height criteria (see map).

The maximum heights permitted are as follows:

- c. Zone I.** New buildings shall be no higher than 2-1/2 stories, except for the following:
  - ☐ On the north side of the 800 and 900 block of Williamson Street, flat-roofed three story structures shall be permitted.

- b. Zone Ia.** New buildings shall be no higher than 4 stories, except for the following:
  - ☐ On the easterly 165 feet of the north side of the 600 block of Williamson Street, the height of new buildings shall be limited to 3 stories in order to preserve the view of the capitol dome from the sidewalk at mid-700 block of Jennifer Street.

- ☐ On the south side of the 700 block one additional story, up to a maximum height of five stories may be permitted if the project meets the preservation or affordable housing bonus criteria described below. A bonus story, up to a maximum height of five stories, may also be permitted if a project incorporates significant publicly accessible green space along Lake Monona.

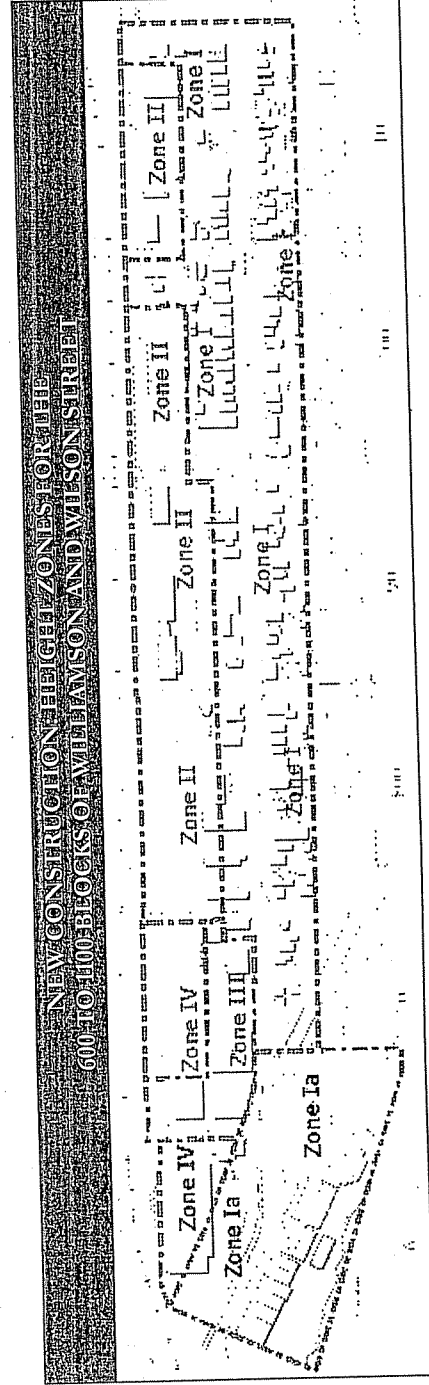
- c. Zone II.** The maximum height is three stories, with the following exception: In Zone II either affordable housing, preservation or structured parking bonuses may be used to allow an additional story up to a maximum height of four stories. (Note: The applicability of these bonuses is subject to the land uses prescribed under the City Zoning Ordinance.)

- ☐ Step back of fourth story. The intent of the step

Reconciling of the two neighborhood plans; Williamson Street 600-1100 Block Plan and the East Rail Corridor Plan.

Concurrent with the planning that produced the Williamson Street 600-1100 Block Plan, another plan was taking shape - the East Rail Corridor plan. While in general the East Rail Corridor plan dealt with properties directly to the north of the Williamson Street 600-1100 Block Plan study area, there was an overlap for the properties on the south side of the 600 - 1000 blocks of East Wilson Street. Each of the two plans had slightly different recommendations for those block faces. After the Williamson Street 600-1100 Block Plan was introduced to the Common Council for adoption, it became clear that both plans should be revised to reconcile the slight differences in the recommendations.

The Plan Commission and Landmarks Commission addressed the differences between the Williamson Street 600-1100 Block Plan and the East Rail Corridor plan. In essence the final resolution calls for the land use recommendations in the East Rail corridor plan to prevail and the recommendations regarding design guidelines and criteria in the Williamson Street 600-1100 Block Plan to prevail. (Adopting resolution is located on page 49.)



*Standards for Design & Preservation*  
**WILLIAMSON STREET 600-1100 Blocks**

**Inclusionary Zoning**

On February 3, 2004 an Inclusionary Zoning Ordinance was adopted by the City establishing how affordable housing is provided with new projects. The plan has an affordable housing bonus that is to complement the inclusionary zoning.

back of Zone II from Williamson Street in the 800 and 900 blocks is to ensure that a fourth story does not dominate the Williamson Street streetscape. 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. A variance may be allowed for projects that have lesser setbacks that will not be seen from the street.

**d. Zone III.** The height of a new building shall not exceed 54 feet or five stories, whichever is less.

**e. Zone IV.** A new building shall be no higher than 54 feet or five stories, except for the following:

- In Zone IV a mix of affordable housing, preservation or structured parking bonuses may be used to allow additional floors, but no new

buildings, including those with bonus floors, shall exceed 85' in height from the street grade or 7 floors whichever is less.

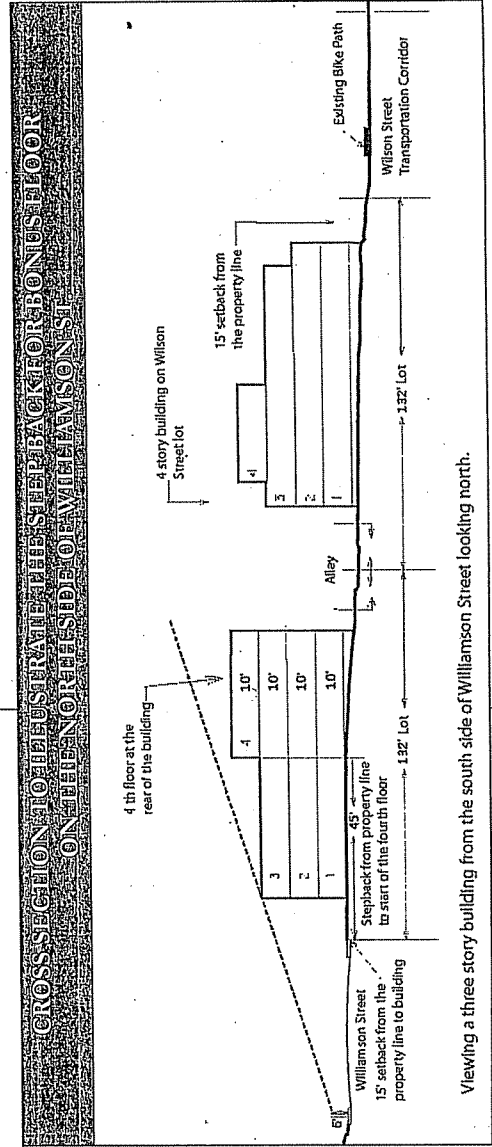
**2. Preservation, affordable housing, and structured parking bonuses.**

**a. Preservation bonus:** A preservation bonus may be granted on the same parcel or an adjoining parcel or parcels within the visually related area (defined in the ordinance as within 200 feet) in exchange for the substantial rehabilitation and restoration of any existing building in the district constructed prior to 1945. The preservation bonus for buildings up to 3000 square. ft. will be an additional useable floor area up to 1-1/2 times the total floor area of the existing historic building. For buildings 3000-5000 square feet, the preservation bonus will be an additional useable floor area up to or equal to the total floor area of the existing historic building. For buildings over 5000 square feet the preservation bonus will be an additional useable floor area equal to the square footage of one level of the historic building. Bonus floor must adhere to maximum height rule.

**Definitions for Preservation Bonus:**

The substantial rehabilitation and restoration of a building must result in a marked improvement in the usefulness and attractiveness of a property, while maintaining and restoring the historic qualities and characteristics of the building. The historic qualities and records, documents and structural history of the subject property. Recent additions will not be eligible for inclusion in the floor area calculation.

**b. Affordable housing bonus.** For residential projects in Zone Ia, Zone II and Zone IV that



City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: September 6, 2006

TITLE: 301 South Livingston Street – PUD(GDP-SIP), Mixed-Use Development/Thirty-Nine Apartment Units, Aldermanic District 6. (04485)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: September 6, 2006

ID NUMBER:

Members present were: Paul Wagner, Chair; Ald. Noel Radomski, Lou Host-Jablonski, Todd Barnett, Bruce Woods, Lisa Geer and Robert March.

**SUMMARY:**

At its meeting of September 6, 2006, the Urban Design Commission **GRANTED INITIAL APPROVAL** of the development of the property located at 301 South Livingston Street – PUD(GDP-SIP), Mixed-Use Development/Thirty-Nine Apartment Units. Appearing on behalf of the project were John W. Sutton and Douglas Kozel, architects. The project provides for the development of a 3-story mixed-use development as the third phase of the “Livingston Railroad Corridor” project. The plans detail the development of a 2-story multi-tenant commercial component of the building adjacent to its Livingston Street frontage, combined with a 3-story apartment component consisting of 39-units. The commercial component contains 6,600 square feet of leasable space with the apartments providing for 26,600 square feet of development, including provisions for underground structured parking consisting of 35 underground stalls, as well as 18 surface parking stalls to serve both commercial and residential development. On-street parking will also be provided utilizing angled parking. The architects emphasized that the development of this mixed-use project on the site would require an amendment to the East Rail Corridor Plan, which supports office employment development on the site, in addition to the recently adopted Comprehensive Plan for the City of Madison. The development is also located within the Williamson Street B.U.I.L.D. Plan area which supports residential development. The building elevations feature the utilization of oversized brick in a red color, in combination with metal siding on a horizontal orientation.

**ACTION:**

On a motion by March, seconded by Host-Jablonski, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a unanimous vote of (6-0). The motion suggested that the applicant provide considerations for the utilization of a “green roof.”

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 6, 6.5, 7, 8, 8 and 8.

**URBAN DESIGN COMMISSION PROJECT RATING FOR: 301 South Livingston Street**

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
<b>Member Ratings</b>	6	6	6	7	-	7	7	6.5
	7.5	7	-	-	-	-	7.5	7
	6	6	-	-	-	6	6	6
	7	8	8	7	-	8	8	8
	7	8	7	7	-	8	8	8
	6	8	-	-	-	7	10	8

**General Comments:**

- With the prairie adjacent to the bike path and the proposed building, consider using more of the prairie fort palette within the foundation landscape. The fleece flower is too aggressive. Path connection to the bike from residential portion. Consider an extensive green grid roof system if an open space to peds is not feasible or desired.
- Nicely done. Fresh concept and appropriate to the urban context.
- Very nice.
- Nice concept.

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** October 16, 2006

**To:** Plan Commission  
**From:** Kathy Voeck, Assistant Zoning Administrator  
**Subject:** 301 S Livingston St, Rezoning

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**Present Zoning District:** C-2

**Proposed Use:** Mixed use development with 39 apartments & 6,600 sq. ft. retail space (6 efficiencies, 27 one bedroom units, and 6 two bedroom units.)

**Requested Zoning District:** PUD(GDP-SIP)

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

**GENERAL OR STANDARD REVIEW COMMENTS**

1. Site plan and landscape plans shall be consistent with the floor plans, including but not limited to: Show the patios/decks on the site/landscape plans.
2. Contact Jerry Lund, CED, 267-8718 regarding encroachment into the street right-of-way with bike parking and landscaping between the subject property and the rail road right-of-way.
3. Meet all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of three accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
4. Provide a minimum of 41 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. **NOTE:** A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

5. In the Zoning Text, revise the following: a. Statement of purpose, add "and 6,600 sq. ft. of office/retail uses." b. Permitted uses, (1) Multi family residential uses as provided in SIP. (2) Commercial uses as permitted in the C-1. (3) Uses accessory to permitted uses listed above.
  
6. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the R-6 for the residential use and as per C-1 for the Commercial uses, and signage shall be as approved by the Urban Design Commission and Zoning.

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	39,000 sq. ft. (res.)	26,136 sq. ft.
Lot width	50'	adequate
Usable open space	7,200 sq. ft.	577 sq. ft. balconies *
Front yard	20'	7' *
Side yards	Min. 8', total 20'	Min. 5', total 56' *
Rear yard	30'	5' *
Floor area ratio	3.0	1.27
Building height	---	3 stories

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	47 residential <u>22 Commercial</u> 69 total	18 surface <u>35 garage</u> 53 total *
Accessible stalls	3	3 provided (3)
Loading	1 (10' x 35') retail use 1 (10' x 35') residential use	provided provided in drive aisle
Number bike parking stalls	2 retail use <u>39 residential</u> 41 total	24 garage <u>16 surface</u> 40 total (4)
Landscaping	as shown	adequate
Lighting	Yes	(5)



<b>Other Critical Zoning Items</b>	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	None shown
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

\* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the C-2 district, because of the surrounding land uses.



## Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2986

Madison, Wisconsin 53701-2986

PH 608 266 4761

TTY 866-704-2315

FAX 608 267 1158

October 13, 2006

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **301 South Livingston Street – Rezoning – C2 to PUD (GDP-SIP) – 39 Unit Residential with 6600 SF Retail**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The approval of this PUD (GDP-SIP) does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and Common Council for the restoration of the public right-of-way including any changes requested by the developer.
2. The applicant shall not improve the bike path area in railroad corridor as proposed unless City of Madison Real Estate Division approves encroachment prior to plans being submitted for approval. The applicant should contact City Real Estate if you have questions.
3. To provide for adequate pedestrian pathways/linkage along the southerly side of the building the applicant shall widen the sidewalk to 7 ft to accommodate the 2 ft vehicle overhang with a 5 ft sidewalk to the commercial, retail, and residential building entrances.
4. A condition of approval shall be that no residential parking permits will be issued for 301 South Livingston Street, this would be consistent with other projects in the area. In addition, the applicant shall inform all owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text; however, if there are designated inclusionary dwelling units at 301 South Livingston Street, shall be eligible for residential parking permits according to the inclusionary zoning. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to City Traffic Engineer/Parking Manager. The applicant shall note in the Zoning Text the inclusionary zoning dwelling units.

**PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS**

5. In addition to number 3 above, there needs to be a five foot flat area at the top of the curb ramp, between the curb ramp and the entrance to the ramp to the residential building. This is also necessary to provide an accessible route along the sidewalk without having to traverse the curb ramp.

#### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

6. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
7. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
8. The applicant shall relocate the "Stop" sign to be installed at a height of seven (7) ft and behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
9. The applicant shall design the surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area.
10. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and hand holes, including labor, engineering and materials for both temporary and permanent installations.
11. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: John Sutton  
Fax: 255-1764  
Email: Sutton@sbcglobal.net

DCD: DJM: dm



Department of Public Works  
**City Engineering Division**

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
608 267 8677 TDD

**Deputy City Engineer**

Robert F. Phillips, P.E.

**Principal Engineers**

Michael R. Dalley, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
David L. Benzschawel, P.E.  
Gregory T. Fries, P.E.

**Operations Supervisor**

Kathleen M. Cryan

**Hydrogeologist**

Joseph L. DeMorett, P.G.

**GIS Manager**

David A. Davis, R.L.S.

DATE: October 9, 2006

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 301 South Livingston Street Planned Unit Development

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Species and location of terrace trees must be approved by the City Forester.
2. Site plan shall be revised to remove right-of-way encroachments, including but not limited to bike racks, building overhang/roof line, landscaping.
3. The area adjacent to this proposed developments floods. All entrances shall be 2-feet above the adjacent sidewalk grades or a foot above. The 100-year regional flood elevation (which is greater). This includes garage entrances.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.**

Name: 301 South Livingston Street Planned Unit Development

**General**

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.

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- 1.5 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.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

**Right of Way / Easements**

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

**Streets and Sidewalks**

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_.
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street.

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The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.

- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

#### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently

within the jurisdictional flood plain.

- 4.12 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

#### Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.

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- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

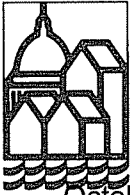
**Sanitary Sewer**

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.



Department of Public Works  
Parks Division

City of  
Madison



October 18, 2006

Madison Municipal Building, Room 120  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2987  
Madison, Wisconsin 53701-2987  
PH # 608 266 4711  
TDD # 608 267 4980  
FAX # 608 267 1162

TO: Plan Commission  
FROM: Simon Widstrand, Parks Development Manager  
SUBJECT: **301 South Livingston**

*S.W.*

- 1. Total Park Fees for 39 added units = \$67,944.24 which shall be paid prior to signoff on the SIP. (Fee in lieu of dedication = \$1218/unit. Park Development Fee = \$524.16/unit).**
- 2. The approved plans should not show anything except existing improvements in the bike trail corridor. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way.**

This development contains no private open space or recreational improvements that qualify for IZ credits.

The approved plans should not show anything except existing improvements in the bike trail corridor. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The bike trail corridor is public right-of-way, managed by Parks, Real Estate and Traffic Engineering. These departments should discuss and determine whether or not any of the proposed improvements are welcomed in the corridor, or whether the corridor should be kept clear of such encroachments. Action on this proposal could set a precedent.

Please contact Simon Widstrand at 266-4714 or [awidstrand@cityofmadison.com](mailto:awidstrand@cityofmadison.com) if you have questions regarding the above items.

4

## Waidelich, Michael

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**From:** Widstrand, Si  
**Sent:** Wednesday, October 18, 2006 2:51 PM  
**To:** 'John Coleman'; Scott Lewis  
**Cc:** Olson, Judy; Waidelich, Michael  
**Subject:** RE: Livngston project

Below are my comments to the Plan Commission. I'm going to be out until Monday, but could discuss it Mon. before the Plan Comm meeting. I don't think this should be on the adopted plan because it's not on the subject property, but I'm not necessarily opposed, just want to make sure that we know where we're going with this precedent. SW

October 18, 2006

**TO:** Plan Commission  
**FROM:** Simon Widstrand, Parks Development Manager  
**SUBJECT:** 301 South Livingston

1. Total Park Fees for 39 added units = \$67,944.24 which shall be paid prior to signoff on the SIP. (Fee in lieu of dedication = \$1218/unit. Park Development Fee = \$524.16/unit).
2. The approved plans should not show anything except existing improvements in the bike trail corridor. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way.

This development contains no private open space or recreational improvements that qualify for IZ credits.

The approved plans should not show anything except existing improvements in the bike trail corridor. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The bike trail corridor is public right-of-way, managed by Parks, Real Estate and Traffic Engineering. These departments should discuss and determine whether or not any of the proposed improvements are welcomed in the corridor, or whether the corridor should be kept clear of such encroachments. Action on this proposal could set a precedent.

Please contact Simon Widstrand at 266-4714 or [awidstrand@cityofmadison.com](mailto:awidstrand@cityofmadison.com) if you have questions regarding the above items.

-----Original Message-----

**From:** John Coleman [<mailto:jcolema1@wisc.edu>]  
**Sent:** Tuesday, October 10, 2006 4:13 PM  
**To:** Scott Lewis  
**Cc:** Olson, Judy; Widstrand, Si  
**Subject:** Re: Livngston project

Scott,

Sorry I haven't gotten back to you sooner. I looked the area over and marked an area with flagging that I think would make a nice spot for a table & a little grass. The area indicated on your initial plans is around the second tree from the west end of the block. This is a low-slung apple tree & not suitable to shade a picnic table. The third tree from the west is much more suitable and I have shifted the mowed area to be under that tree. That would place the mowed area between the two doors. I'd suggest not having any shrubbery along the face of the building but instead using the 5 feet strip as mowed grass to augment the mowed oval within the prairie garden. I also suggest that there be some sort of ornamental property marker so that it is clear where the public space begins.

As for a patio next to Livingston, I ask that it be close to the sidewalk and not extend into the prairie garden significantly.

Attached is a graphic based on the plan you gave me but incorporating my suggestion for location of the mowed area. Give me a call if you have questions and please let me know as plans firm up.

I assume these ideas need to be run past Parks Dept. and so I'm giving Si Widstrand a cc: on this.

thanks.

John  
256-8164

At 03:53 PM 10/9/2006, you wrote:

>John,

>

>Do you have any updates or ideas for us on the landscape plan along the

>bike path? We could meet over there again if you like.

>

>Scott

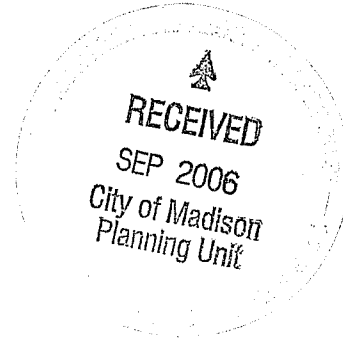


Madison Gas and Electric Company  
P.O. Box 1231  
Madison, WI 53701-1231  
608-252-7000

**Lynn K. Hobbie**  
Senior Vice President  
608-252-4760

*your community energy company*

September 22, 2006



William Roberts, Planner  
City of Madison, Dept. of  
Planning and Development  
215 Martin Luther King, Jr. Blvd., Rm. G-100  
Madison, WI 53703

Dear Mr. Roberts:

Please accept this letter in support of the mixed-use development for 301 South Livingston Street which is proposed by Renaissance Properties, LLC. Renaissance Properties and Madison Gas & Electric have worked very diligently together for over a year to create an appropriate development concept for this property.

Our objectives were to find a project that would:

1. Be cost-effective for this site;
2. Provide a mixed-use project which would be more compatible with MGE's nearby power plant generation and industrial uses than the initial proposal of exclusively residential development; and
3. Support mixed-use, higher-density, urban redevelopment in the East Isthmus.

We believe that the new Renaissance Properties' proposal achieves these results. We urge your support for the project and thank you for your consideration.

Sincerely,

Senior Vice President

LKH/kjl

cc: Alder Judy Olson

Mayor Dave Cieslewicz

Michael Waidelich, City of Madison

Brad Murphy, City of Madison

Scott Lewis, Renaissance Properties, LLC

Marsha Rummel, Marquette Neighborhood Association

Phyllis Wilhelm, Madison Gas & Electric Company

William F. White, Esq.

4



106 E. Doty St, Ste 310  
Madison, WI 53703  
Phone (608) 256-4200  
Fax (608) 256-4210  
[www.cmimanagement.net](http://www.cmimanagement.net)

August 29, 2006

Mr. Bill Roberts  
City of Madison Planning Department  
215 Martin Luther King Jr., Blvd  
Madison WI 53703

Dear Mr. Roberts,

I am writing in order to express our views as to why the 301 Livingston mixed-use project is the most appropriate land use for this site. The project includes approximately 6,600 square feet of commercial space and 39 apartment units, provides underground parking, and integrates perfectly with two earlier phases of development on this 800 block of Williamson St to form a very cohesive mixed use development.

Recently, there have been two different land use studies, which overlap this site. The Build II design study that dealt specifically with the 600-1100 blocks of Williamson St recommends that the 800 block be developed primarily for housing. The East Rail Corridor plan recommends employment center use on this portion of the 800 block. The ERCP does recommend housing on the 900 block. We believe that the ERCP plan recommendations are very good with the exception of this half block.

We believe that it is important that this site is developed as an integrated mixed-use development that extends through the block to Williamson St. East Wilson Street is closed (It is a 66' bike path corridor) throughout the 800 block; therefore, creating a parcel that is 80% landlocked. This along with the absence of any public parking facilities in this area creates a parcel with a complete lack of access to parking unless it is provided on site.

These projects must mesh together because of the lack of street frontage and access to the site. The mixed-use plan is the most effective way to deal with parking and traffic circulation requirements. Commercial use and housing each have parking needs, which are more prevalent at different times of the day and therefore when blended together can offer an efficiency that cannot be achieved without this concept. In addition, the North side of the existing apartment buildings, which face the E. Wilson St bike path is commonly referred to as the quiet side of our project by existing tenants. Of course the Williamson St side with its traffic and activities can be somewhat noisy as is expected in an urban setting, such as this.

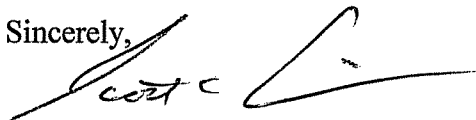
We believe that the primary reason that housing was not recommended for this particular site was because of the concerns that MG&E had with the project's proximity to their power generation plant. We have worked diligently along with MG&E to develop a plan that is appropriate for this site. We sincerely appreciate MG&E's commitment to this neighborhood and their participation and support in neighborhood projects. Our final plan is one which all parties are comfortable with. Providing several commercial business opportunities as well as increasing residential density on vacant property with easy access to the East Wilson St bike path is an ideal land use. It is far superior to designating a small isolated parcel with poor access for solely commercial uses that cannot make economic or logistical sense.

We worked on several concept plans that included only commercial, but because of the need to create all of the parking on site we could not get any one of them to work economically. A one story-parking garage would only support one level of office space. This is not economically feasible. A design that entailed a small 7,900 square foot commercial center with surface parking could have worked with a subsidy of several hundred thousand dollars. City economic development staff felt the project was too small to warrant TIF consideration. Now our current plan includes nearly as much commercial space along with an excellent housing opportunity and requires no economic subsidy.

The ERC plan states the strong need to incorporate housing affordability. This project will offer rental affordability that far exceeds the standards that were set with inclusionary zoning. We expect that over 70% of the units will be affordable to tenants earning 60% or less of the county median income.

I ask that you give this project a favorable recommendation, as it seems to match very well with the current objectives for growth downtown as well as in the Marquette neighborhood. Thank you for your consideration.

Sincerely,



Scott Lewis




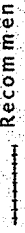
CC: Michael Waidelich  
Brad Murphy  
Lynn Hobbie, MGE  
Alder Judy Olson  
Mayor Dave Cieslewicz  
Marsha Rummel, MNA President

EAST RAIL CORRIDOR PLAN

Map 2-11

LOCATIONS FOR FUTURE  
OPEN SPACE DEVELOPMENT

LEGEND

-  Priority Urban Squares
-  Bicycle Path Corridor Enhancements
-  Other Pedestrian-Bicycle Linkages
-  Recommended Mainline Railroad Track Alignment

