



May 31, 2022

Ms. Lisa McNabola  
Planner- Development Review & Plan Implementation  
215 Martin Luther King Jr. Blvd, Suite 017  
Madison, WI 5370

Re: Letter of Intent  
402 West Wilson Street

Ms. McNabola:

The following is submitted together with the plans and application for City Staff, Urban Design Commission, Plan Commission and Common Council's consideration for approval.

**Introduction:**

Bear Development, LLC (Bear) is proposing the redevelopment of 402 W Wilson Street into a four-story multifamily building containing 54-dwelling units. Bear has expertise in the affordable housing development industry and has completed over 3,000 affordable housing units over the past 15 years, and continues to develop several hundred units annually. Bear Development is a part of the Bear Real Estate Group of companies which includes Bear Property Management, Inc. (Property Management) and Construction Management Associates, Inc. (General Contractor) who will be involved in the project as well.

This application package includes the required development plans, application forms, description of the proposed project and an overview of the development team's efforts to date.

**Project Team:**

**Owner/Developer:**

Bear Development, LLC  
4011 80<sup>th</sup> Street  
Kenosha, WI 53142  
Contact: Nick Orthmann  
Phone: 262-308-2656  
Email: [northmann@beardevelopment.com](mailto:northmann@beardevelopment.com)

**Architect:**

Engberg Anderson Architects  
305 W Washington Ave  
Madison, WI 53703  
Contact: Felipe Ornelas  
Phone: 414-944-9117  
Email: [felipeo@engberganderson.com](mailto:felipeo@engberganderson.com)

**Civil Engineer & Landscape Design**

JSD Professional Services, Inc.  
161 Horizon Dr Suite 101  
Verona, WI 53593  
Contact: Kevin Yeska  
Phone: 608-848-5060  
Email: [kevin.yeska@jsdinc.com](mailto:kevin.yeska@jsdinc.com)



### **Project & Site Details:**

402 W Wilson Street is located at the intersection of West Wilson Street & South Broom Street in the city's Bassett Neighborhood. The site is currently occupied by a two-story, approximately 20,000 square foot office building and a parking lot that serves the building. The structure is of 1950s vintage and is proposed to be retained as part of the development. The site is essentially flat and has access from both Wilson and Broom; we consider Wilson Street to be the front yard. The setting for the area is predominantly residential with a mix of condominiums, multifamily and single-family homes. The site is an ideal location with convenient access to Brittingham Park, the Capital City Trail, Lake Monona, the Capital Square, a dog park, restaurants, grocery store, fitness facilities, main bus lines and much more within a few block radius from the site. It is a truly walkable site and our expectation is many of our residents will forego having a vehicle and instead rely on bicycles and public transportation.

The proposed use for the site is a four-story multi-family apartment building with 54-dwelling units that includes below grade parking, bike storage and storage space for the residential units. An on-site management office is included in the design as well as ample usable open space for residents to utilize. The development has been designed to re-use the existing structure and connect it with a newly constructed addition that takes up the current parking lot area and also wraps above the existing building. The project will utilize high quality materials and is designed in a way that blends the existing and new portions of the structure in a thoughtful manner.

- Lot Area: 21,437 SF / 0.49 acres
- Building Gross Square Footage: 67,984 SF
- Dwelling Units: 54 units
  - o 1 Bedrooms: 29 units
  - o 2 Bedrooms: 25 units
  - o Density: 110 units / acre
- Parking Stalls: 29 stalls
- Bike Parking: 60 stalls

The property is currently zoned as PD, and Bear is pursuing the approval of the proposed development of the by way of a zoning map amendment for an amended PD-GDP and new SIP specific to the project site. The original PUD that the site is in dates to the early 1980s. While the property is zoned PD, we have made concerted effort comply with zoning standards of the DR-2 district, which is the predominant underlying zoning classification in the area. We understand that the project will be reviewed by City Staff, Urban Design Commission, Plan Commission and Common Council as part of this process. Our anticipated approval schedule is as follows:

- Application Submittal May 31, 2022
- Urban Design Commission July 13, 2022
- Planning Commission July 25, 2022
- Common Council August 2, 2022

The project will be primarily funded with 4% Low-Income Housing Tax Credits (LIHTC) and Tax-Exempt Bonds, for which Bear has prepared an application for submission to WHEDA. All units in the property will be available to households earning at or below 60% of the area median income. When the property

becomes operational, it will be professionally managed by Bear Property Management, Inc. a sister company of Bear that is part of the Bear Real Estate Group of companies.

### **City & Neighborhood Input:**

During the pre-submittal process the development team has met with a variety of stakeholders whose input has helped shape the proposal:

- City of Madison Staff- We have consulted with City Staff several times during the pre-submittal process including a pre-development meeting, a Development Assistance Team Meeting, and several informal consultations.
- UDC- The development team participated in an informational presentation to the Urban Design Condition on March 30<sup>th</sup> to garner feedback on the design.
- Neighborhood- The development team has met with neighborhood stakeholders several times in regard to the project. We made a presentation to the neighborhood at large and also participated in neighborhood steering committee meetings on April 6<sup>th</sup> and May 4<sup>th</sup> through the Bassett District of Capitol Neighborhoods, Inc. that included the district alderman, neighborhood chair and committee members. Feedback of the committee played a significant role in the design progression for the project.

### **Phasing & Schedule:**

Construction of the project will be completed at once with no phasing contemplated. Construction is expected to commence in late Summer or early Fall of 2022 and will be completed in the first quarter of 2024.

### **Public Subsidy:**

The development team is not requesting public subsidy for the project.

### **Supplemental Requirements:**

There are several supplemental requirements listed on forms LND-A LND-B included with this proposal which are detailed below:

- Pre-Application Notification
  - o Copies of the notification emails sent to the Alderperson, City-registered neighborhood association and City-listed business association are included in file *W\_Wilson\_St\_402\_Pre\_Notif\_2022-05-31*.
- UDC Application
  - o The application package includes a UDC Application as the plans will be reviewed by the UDC as part of the combined UDC-Plan Commission-Common Council process. The UDC Application is included as file *W\_Wilson\_St\_402\_Pre\_UDCApp\_2022-05-31*.
- Demolition Permits
  - o The reuse of the building necessitates a demolition permit as the incorporation of the existing building into the new development is considered a “technical demolition”. The building was reviewed by the City’s Landmarks Commission on its April 18<sup>th</sup> agenda. The demolition plans are on the D sheets in the submitted plans and the balance of the

required Demolition Permit requirements are included in file  
*W\_Wilson\_St\_402\_Pre\_Demo\_2022-05-31.*

- Zoning Map Amendment
  - o The required items for the Zoning Map Amendment are within the file labeled *W\_Wilson\_St\_402\_Pre\_LegalDescrip\_2022-05-31.*
- Planned Development GDP-SIP
  - o The application is structured as an amendment to the existing GDP for the property with a new SIP. The required documentation detailed in LND-B and City ordinance is included as file *W\_Wilson\_St\_402\_Pre\_GDPSIP\_2022-05-31.*
- Traffic Demand Management Plan
  - o The TDMP for the project is included with this application as file *W\_Wilson\_St\_402\_Pre\_TDMP\_2022-05-31.*
- Stormwater Report
  - o The Stormwater Report is included with this application as file *W\_Wilson\_St\_402\_Pre\_SWMP\_2022-05-31.*

The development team is excited about the prospect of providing much needed quality affordable housing in a prominent downtown location where there is a severe lack of affordable housing. We look forward to working with City of Madison staff and elected officials to bring the project to fruition. Should you have any questions, please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'NO', written in a cursive style.

Nick Orthmann  
Project Manager  
Bear Development, LLC



May 31, 2022

Ms. Lisa McNabola  
Planner- Development Review & Plan Implementation  
215 Martin Luther King Jr. Blvd, Suite 017  
Madison, WI 5370

Re: Planned Development- GDP Amendment & New SIP  
402 West Wilson Street

Ms. McNabola:

The Land Use Application for 402 West Wilson Street is structured as an amendment to the property's existing GDP with a new SIP specific to the project site. The original PUD dates to the early 1980s and was created to facilitate the use of 402 W Wilson Street as a professional office building as well as two 2-flat residential structures bordering the site at 403 & 407 Doty Street. We do not anticipate any negative impact on the other properties located within the GDP resulting from this proposal. While this Land Use Application is being submitted as a PD based on guidance from City staff during the pre-application process, the development has been designed to significantly comply with the requirements of the DR-2 district, which is the predominant zoning classification in the vicinity for properties that are not zoned PD. The minor deviations from the DR-2 zoning requirements are show on sheet G-001 of plans.

Included with the application are the required documents per LND-B and a response to the requirements of the standards for approval detailed in Section 28.098 of the City ordinance:

#### GDP-SIP

- 1- Proposed Zoning Text- the newly proposed SIP zoning text for the site is included with the Land Use Application as attachment *W\_Wilson\_St\_402\_Pre\_ZoningText\_2022-05-31*. The proposed amendment to the existing GDP are only those contained in the SIP, we do not propose any other changes to the GDP other than those allowed to facilitate the proposed development.
- 2- Vicinity Map- the vicinity detailing the surrounding area and the extent of the GDP & SIP is included with the Land Use Application as *W\_Wilson\_St\_402\_Pre\_GDPSIPMap\_2022-05-31*.
- 3- Economic Impacts- we expect that the project well have several positive economic impacts to the community
  - a. Infrastructure- the project is located on an infill site and is utilizing existing infrastructure, without required additional major infrastructure investment from by the City and without adversely affecting the provisioning of existing municipal services.
  - b. Right of Way- the project will bear the cost of the rework of the sidewalks and terrace areas adjacent to the building per the City's plans.
  - c. Sustainability- the project involves the reuse of an existing structure, eliminating the need for demolition and disposal at local landfill facilities.
  - d. Affordable Housing- the project will provide 54-quality affordable housing units at a Downtown site within walking distance of many of the City's most desirable amenities, employers, and government services. Providing housing options for households at a

variety of income levels has significant social economic impact. The creation of this affordable housing is being done without public subsidy from the City.

- e. Construction Jobs- based on projects of similar size and scope, we anticipate the project will provide 77 construction jobs throughout the course of construction.
- 4- Organizational Structure- the project will be owned by a single-purpose LLC. No owner's association is contemplated. There will be a LURA recorded on the property detailing the affordability restrictions that are part of the LIHTC & Tax-Exempt Bond transaction.
- 5- Circulation- site circulation and all associated items is detailed in the plans submitted with the Land Use Application.
- 6- Lot Layout, Plat & Public Areas- the site plan for the project is included in the plans submitted with the Land Use Application. The project site is a single lot & tax parcel and there is no plat needed to facilitate the development. There are no areas proposed to be dedicated to the public. We are proposing a sidewalk easement on site that is detailed on the civil plan sheets.
- 7- Architectural Character- the plans submitted with the application detail the architectural character of the proposed building.
- 8- Financing Capability- Bear Development has completed over 3,000 units of workforce housing and continues to develop several hundred units annually; financial references can be provided upon request.
- 9- Construction Schedule- the development team anticipates construction to start in late Summer or Fall of 2022 with completion in the first quarter of 2024.
- 10- Agreements, Bylaws & Covenants- we do not anticipate any special agreements, bylaws or covenants will be required for the project.

#### Planned Development

The Planned Development District is intended to achieve one or more of the following objectives:

- a) *Promotion of green building technologies, low-impact development techniques for stormwater management, and other innovative measures that encourage sustainable development-* The project includes the reuse of an existing building in lieu of the complete demolition of said structure promoting sustainability. The development will also comply with City standards for stormwater management.
- b) *Promotion of integrated land uses allowing for a mixture of residential, commercial, and public facilities along corridors and in transitional areas, with enhanced pedestrian, bicycle and transit connections and amenities-* The project includes a widened public right-of-way and ample bike parking for residents. It is also located near public transit.
- c) *Preservation and enhancement of important environmental features through careful and sensitive placement of buildings and facilities-* N/A the site is located in an infill location that has been fully developed.
- d) *Preservation of historic buildings, structures, or landscape features through adaptive reuse of public or private preservation of land-* the structure on site is not historic, however the development plans are for the adaptive reuse of the building in addition to a new construction portion in lieu of demolishing the existing structure entirely.

- e) *Provision of more adequate, usable, and suitably located open space, recreational amenities, and other public facilities than would otherwise be provided under conventional land development techniques-* Not applicable.
- f) *Facilitation of high-quality development that is consistent with the goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor or special area plans-* We feel that the development is a high quality project that accomplishes several planning goals including providing affordable housing and revitalizes and underused parcel.

The standards for approval of a zoning map amendment to the PD District, or any major alteration to an approved General Development Plan, are as follows:

- a) *The applicant shall demonstrate that no other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the objectives of (1) above. Conditions under which planned development may be appropriate include:*
  - 1. *Site conditions such as steep topography or other unusual physical features-* Not applicable.
  - 2. *Redevelopment of an existing area or use of an infill site that could not be reasonably developed under base zoning district requirements-* The site is an infill site that has unique development considerations and at the recommendation of City staff during the pre-application process, this Land Use Application is being submitted as a GDP Amendment with a new SIP as the site is already located within an existing PD.
- b) *The PD District plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans-* The development accomplishes several planning goals detailed throughout the various adopted planning documents for the area; most notably that it will provide 54-units of quality affordable housing in the Downtown district.
- c) *The PD District plan shall not adversely affect the economic health of the City or the area of the City where the development is proposed. The City shall be able to provide municipal services to the property where the planned development is proposed without a significant increase of the cost of providing those services or economic impact on municipal utilities serving that area-* We believe that the project complies with this standard.
- d) *The PD District plan shall not create traffic or parking demands disproportionate to the facilities and improvements designed to meet those demands. A traffic demand management plan may be required as a way to resolve traffic and parking concerns. The Plan shall include measurable goals, strategies, and actions to encourage travelers to use alternatives to driving alone, especially at congested times of day. Strategies and actions may include, but are not limited to, carpools and vanpools; public and private transit; promotion of bicycling, walking and other non-motorized travel; flexible work schedules and parking management programs to substantially reduce automobile trips-* A TDMP has been submitted for the project and we believe that the project is in compliance with this standard and it will not create disproportionate traffic or parking demands.

- e) *The PD District plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District- We believe that the building's architectural style is consistent with the area and received positive feedback from the Urban Design Commission in response to your informational presentation on March 30<sup>th</sup>. The design is in compliance with height and setback requirements for the area as well.*
- f) *The PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement- The project includes usable open space in excess of the requirements for DR-2 zoned sites. The open space requirement is satisfied through inclusion of private balconies for the majority of the dwelling units and through the green spaces surrounding the building. The character of the open spaces is consistent with the infill location and overall design of the project.*
- g) *The PD district shall include suitable assurances that each phase could be completed in a manner that would not result in an adverse effect upon the community as a result of termination at that point- Not Applicable, the project is being developed in as one and is not phased.*
- h) *When applying the above standards to an application for height in excess of that allowed in Section 28.071(2)(a) Downtown Height Map, except as provided for in Section 28.071(2)(a)1. and Section 28.071(2)(b), the Plan Commission shall consider the recommendations in adopted plans and no application for excess height shall be granted by the Plan Commission unless it finds that all of the following conditions are present- Not applicable.*
- i) *When applying the above standards to an application to reduce or eliminate setbacks required by Section 28.071(2)(c) Downtown Setback Map, the Plan Commission shall consider the recommendations in adopted plans, including the downtown plan. No application to reduce or eliminate setbacks may be granted unless it finds that all of the following conditions are present- Not applicable.*

Should you have any questions, please feel free to contact me at any time.

Sincerely,



Nick Orthmann  
Project Manager  
Bear Development, LLC



**PROPOSED ZONING TEXT**  
**402 West Wilson Street**

***Legal Description:***

LOT ONE (1), CERTIFIED SURVEY MAP NO. 3796 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN ON SEPTEMBER 24, 1981, IN VOLUME 15 OF CERTIFIED SURVEY MAPS, PAGES 310-311 AS DOCUMENT NO. 1720322, BEING LOTS 9, 10 AND 11, BLOCK 46, ORIGINAL PLAT OF MADISON, CITY OF MADISON, DANE COUNTY, WISCONSIN.

Proposed Zoning: PD-SIP  
Lot Area: 21,437 SF / 0.49 acres

- a) ***Statement of Purpose:*** This zoning district is established to allow for the construction of a four-story 54-unit multifamily apartment building as shown on the approved plans.
- b) ***Permitted Uses:***
1. Those that are stated as permitted uses in the DR-2 & PD zoning districts.
  2. Uses accessory to permitted uses as listed above.
  3. Continuation of the use of the existing two-story office building on-site that is in place at the time of the Land Use Application for the property in May of 2022.
- c) ***Lot Area:*** As stated in the legal description section.
- d) ***Floor Area Ratio:***
1. Maximum floor area ratio permitted is 3.2 as shown on the approved plans.
  2. Maximum building height shall be four stories or as shown on approved plans.
- e) ***Yard Requirements:*** Yard areas will be provided as shown on approved plans.
- f) ***Landscaping:*** Site landscaping will be provided as shown on the approved plans.
- g) ***Accessory Off-Street Parking & Loading:*** Accessory off-street parking and loading will be provided as shown on approved plans.
- h) ***Lighting:*** Site lighting will be provided as shown on approved plans.
- i) ***Signage:*** Signage will be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the DR-2 & PD districts, or signage will be provided as approved on the recorded plans.
- j) ***Family Definition:*** The family definition of this PD-SIP shall coincide with the definition given in Chapter 28.03(2) of the Madison General Ordinances for the DR-2 & PD zoning district.
- k) ***Alterations and Revisions:*** No alteration or revision of this planned unit development shall be permitted unless approved by the City Plan Commission, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Development and the alderperson of the district and are compatible with the concept approved by the City Plan Commission.