

# PLANNING DIVISION STAFF REPORT

August 29, 2022



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1303-1323 Williamson Street and 401-409 S Baldwin Street  
**Application Type:** Demolition Permit, Conditional Use, & Certified Survey Map Referral  
**Legistar File ID #** [72803](#), [72804](#), and [72772](#)  
**Prepared By:** Chris Wells, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant & Property Owner:** Ernest Stetenfeld; District Council of Madison, Inc., Society of St Vincent de Paul; 2033 Fish Hatchery Road; Madison, WI 53713

**Contact Person:** Ron Siggelkow; Dimension IV Madison Design Group; 6515 Grand Teton Plaza; Madison, WI 53719

### Requested Actions:

- ID [72803](#) – Consideration of a demolition permit to demolish three commercial buildings located at 1303 Williamson Street, and 401 and 409 S Baldwin Street;
- ID [72804](#) – Consideration of a conditional use in the Traditional Shopping Street (TSS) District for a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking to allow the construction of an approximately 11,000-square-foot addition to create a two-story, approximately 29,100-square-foot, commercial building at 1303-1323 Williamson Street and 401-409 S Baldwin Street.
- ID [72772](#) – Consideration of a Certified Survey Map (CSM) to create one lot for the proposed mixed-use development.

**Proposal Summary:** The applicant proposes to demolish three commercial buildings - addressed as 1303 Williamson Street, and 401 and 409 S Baldwin Street – in order to construct an approximately 11,000 square-foot addition to create a two-story, roughly 29,100-square-foot commercial building at 1303-1323 Williamson Street and 401-409 S Baldwin Street. While 18 automobile parking stalls exist on site, because of the uses and size of the building, 55 stalls are required by the Zoning Code. Therefore, a 37-stall parking reduction is also being requested (this requires a conditional use). Finally, the associated Certified Survey Map will combine the underlying six parcels to create one lot for the proposed mixed-use building.

**Applicable Regulations & Standards:** Since the proposed building is greater than 10,000 square-feet of floor area (which is occupied by a single tenant), the exception listed for the TSS (Traditional Shopping Street District) per Table 28I-2. *Districts with No Minimum Automobile Parking Requirements; Exceptions* in MGO §28.141(3) is met. Therefore, Table 28I-4. *Minimum Parking Adjustments/Reductions* in MGO §28.141(5) states that parking reductions greater than 20 automobile spaces and 25 percent or more of the required parking, requires conditional use approval. Section 28.183 provides the process and standards for the approval of conditional use permits. The proposal also requires a demolition permit. Section 28.185 provides the process and standards for the approval of demolition and removal permits. Finally, a Certified Survey Map is required to remove the underlying lot lines. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Plan Commission (all) and Common Council (CSM).

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission regarding the applications for 1303-1323 Williamson Street and 401-409 S Baldwin Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met to **approve** demolition of three commercial buildings located at 1303 Williamson Street, and 401 and 409 S Baldwin Street;
- That the Plan Commission find that the standards for conditional uses are met and **approve** a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking in the Traditional Shopping Street (TSS) District, to allow the construction of an approximately 11,000-square-foot addition to create a two-story, approximately 29,100-square-foot commercial building at 1303-1323 Williamson Street and 401-409 S Baldwin Street, beginning on **page 8**;
- That the Plan Commission forward the Certified Survey Map (CSM) to combine the subject properties to create one lot for the proposed mixed-use development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 14**.

## Background Information

**Parcel Location:** An approximately 34,936-square-foot (0.8-acre) site is located to the east of the intersection of Williamson Street and S Baldwin Street. It is also located in Alder District 6 (Alder Benford); the Third Lake Historic District; and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is comprised of seven parcels which are zoned TSS (Traditional Shipping Street) District and contain a total of five buildings, which are all interconnected and together, house the St Vincent De Paul Thrift Store and associated offices. (Image 1 in the following section shows the parcels and buildings on the subject site):

- 1305 Williamson Street is developed and contains two buildings:
  - 401 S Baldwin Street – A two-story, roughly 2,100-square-foot mixed-use building with ground-floor retail and three apartments above, which was constructed in 1911 and remodeled in 1980. This building is proposed to be demolished;
  - 1303 Williamson Street – a one-story, 1,460-square-foot commercial building, which was constructed in 1951 as an addition to the 401 S Baldwin Street building. This building is proposed to be demolished;
- Originally the Clyde A. Gallagher Store building, 409 S Baldwin Street is a one-story commercial structure which was constructed in 1926. Due to structural and safety concerns, this structure has been vacant for years and is proposed to be demolished;
- Originally the Joseph A Brady Garage Building, 1309 Williamson Street is a one-story, roughly 12,200-square-foot commercial structure which was constructed in 1921;
- 1313 Williamson Street is a one-story, roughly 5,700-square-foot commercial structure. Historic records note it was constructed in 1984 as an addition to the building at 1309 Williamson Street;
- On the northern half, 1317 Williamson Street contains seven surface automobile parking stalls. On the southern half, it contains a portion of the St Vincent de Paul thrift store used for deliveries;
- 1321 Williamson Street is entirely paved and provides the curb cut and drive aisle for automobiles to access the parking stalls on the two adjacent lots;
- 1323 Williamson Street is entirely paved and contains 11 surface automobile parking stalls.

Photos provided by the applicant of the existing structures are available [here](#) under Legislative file [72803](#).

**Surrounding Land Use and Zoning:**

- Northeast:** Two-, three-, and six-unit apartment buildings, all zoned TSS (Traditional Shipping Street) District;
- Northwest:** Across Williamson Street are three 2-story, mixed-use buildings with either ground floor retail or a tavern (the Crystal Corner Bar) and apartments above; a single-family residence; and three- and four-unit apartment buildings, all zoned TSS;
- Southeast:** A five-unit apartment zoned TR-V2 (Traditional Residential – Varied 2) District; a 4-unit zoned TR-V1 (Traditional Residential – Varied 1) District; a 2-unit condominium zoned PD (Planned Development) District; and two 2-units, a three-unit apartment building, and a single-family residence all zoned TR-C4 (Traditional Residential – Consistent 4) District;
- Southwest:** Across S Baldwin Street is a two-story mixed-use building with ground floor retail and three units above; a two-story building which houses the Shambhala Center of Madison (a meditation center); and the 12-room Marquette Hotel, all zoned TSS.

**Adopted Land Use Plan:** The 2018 [Comprehensive Plan](#) recommends the subject site for Neighborhood Mixed-Use (NMU), which it describes as small-scale, 2-4-story, mixed-use development which primarily serves nearby residents. The older [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) and [Marquette Neighborhood Center Master Plan](#) (2000) also provide more site specific recommendations regarding the character of potential redevelopments. Further detail is included in the body of this report.

**Zoning Summary:** The project will be developed in the TSS (Traditional Shipping Street) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	34,858
Lot Width	None	132 ft
Front Yard Setback	5 ft	2 ft <i>(See Comment #26)</i>
Max. Front Yard Setback	25 ft	2 ft
Side Yard Setback	5 ft	2 ft
Rear Yard Setback	20 ft	198 ft
Maximum Lot Coverage	Existing	Existing, no change
Maximum Building Height	3 stories/40 ft	2 stories

Requirements	Required	Proposed
Number Parking Stalls	55	18 (parking stall reduction)
Accessible Stalls	1	1
Loading	Yes	Yes
Number Bike Parking Stalls	14	14 <i>(See Comment #27)</i>
Landscaping	Yes	Yes <i>(See Comment #28)</i>
Lighting	No	No <i>(See Comment #29)</i>
Building Forms	Yes	Commercial Block Building

<b>Other Critical Zoning Items:</b>	Yes: Historic District (Third Lake Historic District); Utility Easements
	No: Urban Design; Floodplain, Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Park; Barrier Free (ILHR 69)

*Tables Prepared Jacob Moskowitz, Assistant Zoning Administrator*

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

**Public Utilities and Services:** The subject site is served by a full range of urban services, including Metro Transit, which operates daily, all-day transit service along Williamson Street adjacent this property, with trips at least every 30 minutes.

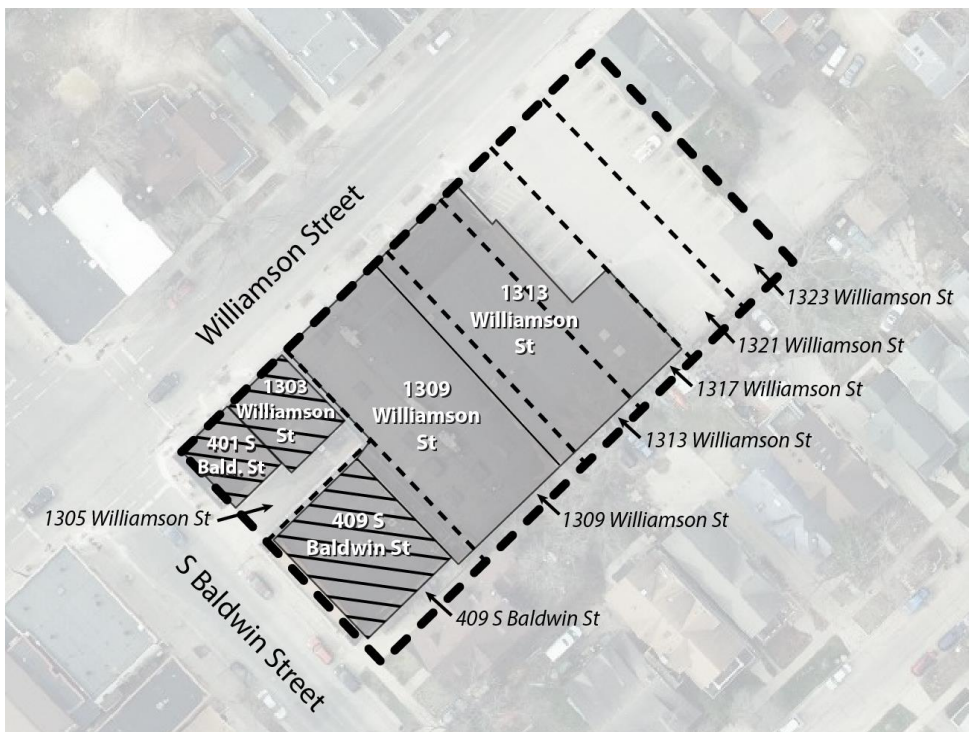
## Related Approvals

On June 27, 2022, the Landmarks Commission approved the applicant's requests for the Certificates of Appropriateness for the demolition of the three commercial buildings, the roughly 11,000 square-foot addition, and the land combination. The approval motion included the condition that the applicant submit complete photographic documentation to staff for the preservation file prior to demolition of the existing structures. (Legistar File [71949](#))

## Project Description

The applicant is requesting approval of demolition permits and a conditional use to allow the construction of an approximately 11,000-square-foot addition to create a two-story, approximately 29,100-square-foot commercial building at 1303-1323 Williamson Street and 401-409 S Baldwin Street. The applicant is also requesting approval of a Certified Survey Map to create one lot for the proposed development.

The subject site is comprised of seven parcels developed with five buildings. The three westernmost commercial buildings - addressed as 1303 Williamson Street, and 401 and 409 S Baldwin Street (and hatched in Image 1, below) - are proposed for demolition. The three buildings to be razed are summarized under the 'Existing Conditions and Land Use' subsection in the preceding section of this report. [Photos](#) of the interior and exterior of the buildings are attached to the demolition permit file, ID [72803](#).



**Image 1:** The seven parcels and five buildings which make up the subject site. The three buildings proposed for demolition are hatched.

The proposed addition will be a partial two stories. The ground floor will span roughly 7,250 square-feet and allow for an enlargement and, by consolidating the various structures and spaces which were previously divided up by the three buildings, a more efficient reorganization of the thrift store's internal layout. The second floor will be roughly 3,920 square-feet in size and will house offices, including those for the affiliated Seton Foundation, a local philanthropic organization. The addition will also have a full (roughly 7,200-square-foot) basement for storage.

In terms of net changes to the building's square-footages, the building's total size, currently 23,050 square-feet, will increase to 26,390 square-feet. The first floor will increase from 22,010 to 22,460 square-feet while the second floor will increase from 1,034 to 3,930 square-feet. As for retail square-footage, it will decrease slightly from 15,050 to 15,030 square-feet.

The addition will have two different architectural vocabularies to help break down the mass and make it appear as if it is separate buildings. The two-story portion will be more traditional and simple and will be clad with two shades of red brick. Concrete will be used to form the lintels and cornice. The one-story portion will be designed in a "contemporary interpretation of the Mediterranean Revival style," according to the applicant. This is meant to pay homage to the 409 S Baldwin Street building it is replacing. This portion of the building will be clad with the darker shade of red brick and have roofing tiles that appear like the terra-cotta tiles that the existing structure.

As for changes to the rest of the buildings that make up the thrift store, the roof will be repaired and some interior work undertaken. Minor changes are also proposed to the parking area, including the addition of 14 new bicycle stalls and the addition of a planting area for landscaping along the northeast property line. The number of automobile parking stalls (18) will not change, they will just be moved slightly to accommodate the aforementioned bicycle stalls and landscaping area.

## Analysis

This request is subject to the approval standards for Demolition Permits, Conditional Uses, and Land Divisions.

### Consistency with Adopted Plans

The 2018 [Comprehensive Plan](#) recommends the subject site for Neighborhood Mixed-Use (NMU), which it describes as small-scale, 2-4-story, mixed-use development which primarily serves nearby residents.

The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) identifies the subject parcels within the *Target Area "A" - Williamson Street Neighborhood Commercial Core "A"* and notes that the historic character of Williamson Street should be accentuated by: *"requiring new construction to reflect the historic-style streetscape such as requiring new buildings to be built-up to the sidewalk edge (or the street right of way), to use compatible materials, colors, and similar sized window openings, and to reflect similar scale to other surrounding buildings."*

Regarding to the redevelopment of the sites and buildings which form the Baldwin Street and Williamson Street intersection, the [Marquette Neighborhood Center Master Plan](#) (2000) notes, *"As one corner of a significant regional intersection, new construction on this site should match the urban character of the other three corners to complete the traditional pedestrian character of Williamson Street. The building's placement at the sidewalk and its architectural detailing should clearly represent the principles that are evident all along the street. A commercial building type that includes residential units on the upper floor(s) would be ideal."* The Plan identifies these sites as a *Mixed Use Neighborhood Center, Building Type: Type 1 – Main Street* for which it recommends commercial on the ground floor with residential above. For building height, it recommends two stories, maximum 35 feet. For automobile parking, it recommends 1.6 stalls per 1,000 square feet of commercial space.

At one- to two-stories in height, and with a mass located along and oriented towards the adjacent public sidewalks, Staff believes the proposed addition is consistent with adopted plan recommendations.

### **Demolition Permit Standards**

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

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

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

In regards to Standard 1 related to the possible building relocation efforts, the Plan Commission is required to consider any information provided related to possible relocation activities. At the time of report writing, staff is not aware that the relocation of any of the structures is being considered and no further information has been provided.

In regards to Standard 6 related to the condition of the buildings proposed for demolition, Planning Division staff have not received any comments from City Building Inspection, Fire, or Police. However, in the submitted information, the applicant provides [photos](#) of the existing structures and notes that the two structures on the 1305 Williamson Street site have deterioration in the exterior walls and are “no longer structurally sound.” They also note deterioration in the rubble foundation walls. Regarding the 409 S Baldwin Street building, the applicant notes significant structural issues due to the compromised roof structure. Despite temporary repairs which have stabilized the roof, the structure has been determined to not be safe for retail occupancy. They also note moisture infiltration leading to deterioration of the underlying foundation, which various remediation efforts have not been successful at solving.

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

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

At its June 27, 2022 meeting, the Landmarks Commission reviewed the proposed demolitions and a copy of the report of the Landmarks Commission can be found under Legislative Files [68860](#) and is linked [here](#). The Landmarks Commission voted to recommend to the Plan Commission that the buildings at 409 S Baldwin Street and 1305 Williamson Street (the latter being comprised of two buildings – at 1303 Williamson Street and 401 S Baldwin Street) have historic value related to the vernacular context of the Third Lake Ridge historic district and the Landmarks Commission regrets the loss of this historic fabric, but the buildings themselves are not significant.

Landmarks Commission staff noted an unapproved 1980s remodel of 1301-1307 Williamson Street which resulted in the loss of its historic integrity. In its discussion about the demolitions, members of the Landmarks Commission acknowledged that the buildings at 409 S Baldwin Street and 1305 Williamson Street are within the period of significance for the historic district, but given the loss of architectural and structural integrity, they understood the loss of these buildings. When the Landmarks Commission discussed the possibility of preserving the historic 409 S Baldwin façade their June 27, 2022 meeting, the applicant noted that this was considered and discussed with City Staff. However, they noted that rebuilding the roof would have required removing significant portions of the existing building walls. Additionally, they noted that the entire foundation needed to be replaced which makes any preservation much more difficult. For more information, please see Legislative File [71949](#).

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

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

#### **Consideration of the Conditional Use Standards**

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

In regards to the proposed parking reduction request, while the total size of the building is proposed to increase roughly 3,340 square-feet (12.6 percent), the amount of retail is actually proposed to decrease slightly. That said, the number of automobile stalls, which have served the site for decades, is not proposed to change. Staff believe that the fact that the site has excellent Metro service, with a stop directly adjacent to the site, the Capital City bicycle path located a block north, and a location within a very walkable neighborhood, that the St Vincent de Paul building can continue to operate with the same number of automobile parking stalls, as it has for decades.

#### **Consideration of the Land Division Standards**

The applicant has submitted a certified survey map to combine the 1305-1323 Williamson Street and 409 S Baldwin Street parcels in order to create one parcel. M.G.O. Section 16.23(5)(g) provides the process for certified survey maps. Staff believe that all applicable standards for land divisions can be found met, subject to the comments recommended by reviewing agencies. Staff note the Landmarks Commission approved a Certificate of Appropriateness for the Certified Survey Map at their June 27, 2022 meeting.

#### **Public Input**

At the time of report writing, staff has received a letter of support from the Marquette Neighborhood Association (MNA). The letter noted their support for the demolition permits, the conditional use for the parking reduction, and the Certified Survey Map for the lot combination.

## Conclusion

The applicant proposes to demolish three commercial buildings and construct a one- to two-story addition in their place. The related requests are subject to the approval standards for demolition permits, conditional uses, and land divisions. As discussed in this report, with the comments recommended by reviewing agencies, staff believes these standards can be found met.

## Recommendation

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

The Planning Division recommends the following to the Plan Commission regarding the applications for 1303-1323 Williamson Street and 401-409 S Baldwin Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find that the standards for demolition permits are met to **approve** demolition of three commercial buildings located at 1303 Williamson Street, and 401 and 409 S Baldwin Street;
- That the Plan Commission find that the standards for conditional uses are met and **approve** a parking reduction of more than 20 automobile spaces and 25 percent or more of the required parking in the Traditional Shopping Street (TSS) District, to allow the construction of an approximately 11,000 square-foot addition to create a two-story, approximately 29,100 square-foot commercial building at 1303-1323 Williamson Street and 401-409 S Baldwin Street, beginning below;
- That the Plan Commission forward the Certified Survey Map (CSM) to combine the subject properties to create one lot for the proposed mixed-use development to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 14**.

### **Land Use – Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

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

1. Applicant shall include a utility plan for the proposed lot improvements.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer.
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))



6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DPS) is required as the City of Madison Building Inspection Department is an approved agent for DPS.
10. Revise the site plans to show the location, depth, type, and size of existing and proposed private utilities (gas, electric, phone, steam, chilled water, etc.) in the project area or the adjacent right-of-way. (POLICY)
11. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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

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

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

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

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

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

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

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, (608) 266-4097)

14. Provide for review, comprehensive reciprocal easements and agreements for the access proposed over part of the parcel to the northeast as noted on the plans. The document shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
15. The site plans shall show and label the MG&E Easement per Document No 1823301 around the transformer adjacent to Williamson St.
16. Grant a Public Sidewalk Easement(s) to the City on the face of the pending Certified Survey Map 1' behind the new public sidewalk to be constructed adjacent to this project as required by City of Madison Traffic Engineering along S Baldwin and Williamson Streets. No easement shall be required within any portion of an existing building to remain as part of the redevelopment of this property. All required easements shall be shown and noted on the site plans.
17. The parcel boundary on the First Floor Plan appears to be incorrect along S Baldwin St. The boundary is shown in the middle of the public sidewalk.
18. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.

**Traffic Engineering Division** (Contact Sean Malloy, (608) 266-5987)

19. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Williamson Street.
20. The applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
21. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer. A vision triangle application for this application has been submitted and it currently under review.
22. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
23. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
24. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
25. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

**Zoning Administrator** (Contact Jacob Moskowitz, (608) 266-4560)

26. A no-build easement may be used to achieve the required 15' distance from curb face. Work with zoning staff to record a no-build easement.
27. Submit a detail showing the model of bike rack to be installed. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area.
28. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

29. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
30. Provide detail on building elevations showing compliance with Sec. 28.129 Bird-Safe Glass Requirements.
31. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
32. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
33. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

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

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

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

The agency reviewed this request and has recommended no conditions of approval.

**Forestry Division** (Contact Bradley Hofmann, (608) 267-4908)

35. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
36. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
37. City Forestry will issue a street tree removal permit for 2 trees: 9" Elm & 5" Pear due to an proposed driveway and construction impacts within root zone. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and street tree plan set.

38. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
39. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
40. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
41. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
42. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608) 266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
43. The Developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.
44. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.
45. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add

following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

- 46. No later than five business days prior to forming concrete and constructing tree grate sites, the Contractor shall contact City Forestry at (608) 266-4816 to identify and locate underground conflicts (utilities, vaults, conduit) or other underground obstructions and determine grate locations. The Contractor will be required to obtain the grate, matching frame and/or tree guard. Tree grate type and matching frame: Neenah 4x8 (R-8815-A). Tree guard Neenah (R-8501-4818). Add as a note on both the landscape and street tree plan set.

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

- 47. Update plan set to include a Utility Plan.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

- 48. The applicant shall maintain or replace the accessible concrete terrace and sidewalk at the planned Metro bus stop zone that is on the south side of Williamson Street, east of S Baldwin Street.
- 49. The applicant shall install and maintain a new bus passenger seating amenity - either as part of the private landscape plan or in the public right-of-way area - serving the planned curbside bus stop zone on the south side of Williamson Street, east of S Baldwin Street. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Seating) application for review by the City. An approved Encroachment Agreement, for the seating amenity, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Seating) application process. (MGO 10.31)
- 50. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
- 51. Metro Transit operates daily all-day transit service along Williamson Street adjacent this property - with trips at least every 30 minutes.

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**Certified Survey Map – Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

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

- 1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
- 2. Construct sidewalk, terrace, curb & gutter & pavement to a plan as approved by City Engineer

3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 ([ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com)) or Brenda Stanley (East) at 608-261-9127 ([bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com)) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, (608) 266-4097)

5. Grant a Public Sidewalk Easement(s) to the City on the face of this Certified Survey Map or Subdivision Plat 1' behind the new public sidewalk to be constructed adjacent to this project as required by City of Madison Traffic Engineering along S Baldwin and Williamson Streets. No easement shall be required within any portion of an existing building to remain as part of the redevelopment of this property.
6. Show, label and dimension the Right of Way to MG&E per Document No 1823301 on the Certified Survey Map.
7. Provide at title report for 409 S Baldwin, Parcel No. 251/0710-072-2418-3
8. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com))
9. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com))
10. In accordance with Section s. 236.18(8), Wisconsin Statutes, the Applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Plat or Certified Survey Map in areas where this control exists. The Surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office (web address <https://www.countyofdane.com/PLANDEV/records/surveyor.aspx>) for current tie sheets and control data that has been provided by the City of Madison.
11. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.

12. Provide adjoiner information along the Southeast side of this Certified Survey Map. Also provide recorded as distances around the boundary of the CSM.
13. Show the centerline and dimension the street right of way widths for Williamson St and S Baldwin St.
14. Identify on the Certified Survey Map the portions of the buildings to be demolished as part of the proposed redevelopment project on this site.
15. A metes and bounds description shall be added to the legal description under the Surveyor's Certificate. Also the existing plat is Farwell's Replat of a Part of the Village of Madison, Document No 106. This shall be corrected in the legal description and the headers on all sheets.
16. A corrected bearing and distance shall be provided on the map between the NW Corner and the true W  $\frac{1}{4}$  Corner location. The current distance is to the meander corner for the W  $\frac{1}{4}$  corner. Provide a bearing and distance to the monumented meander corner. Also correct the E-W tie to the quarter line as needed with the movement of the line.
17. This pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.
18. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
  - a) Right-of-Way lines (public and private)
  - b) Lot lines
  - c) Lot numbers
  - d) Lot/Plat dimensions
  - e) Street names
  - f) Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

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

**Traffic Engineering Division** (Contact Sean Malloy, (608) 266-5987)

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| <p>19. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along their frontage of Williamson Street.</p> |
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**Office of Real Estate Services** (Andy Miller, (608) 261-9983)

20. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), the Owner’s Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

When possible, the executed original hard stock recordable CSM shall be presented at the time of ORES approval sign-off. If not, the City and the Register of Deeds are now accepting electronic signatures. A PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

21. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s). If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

22. If any portion of the lands within the CSM boundary are subject to an Option to Purchase or other Option interest, include a Certificate of Consent for the option holder and have it executed prior to CSM sign-off if said ownership interest meets the criteria set forth by Wis. Stats. Sec. 236.34 and Sec. 236.21(2)(a).

23. A Consent of Lessee certificate shall be included on the CSM for all tenant interests in excess of one year, recorded or unrecorded, and executed prior to CSM sign-off.

24. As of August 19, 2022, all real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and 16.23(5)(g)(1) Madison General Ordinances, the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.

25. As of August 19, 2022, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to Madison General Ordinance Section 16.23(5)(g)1.

26. Pursuant to Madison City Ordinance Section 16.23(5)(g)(4), the owner shall furnish an updated title report via email to Andy Miller in the ORES ([acmiller@cityofmadison.com](mailto:acmiller@cityofmadison.com)), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the initial title report, dated July 18, 2022, submitted with the CSM application and include all documents with the initial report and updated report. Note that the initial report did not include a report for the parcel addressed as 409 S Dickinson St; the updated report must include said parcel. Additionally, the updated title report shall only include the area of the proposed CSM; any parcels that do not impact the area of this CSM shall be removed from the updated report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. Surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.

27. Depict, dimension, name, note and/or identify by document number all relevant easements, declarations, plans, conditions, agreements, and other documents cited in record title and the updated title report, and include relevant notes from plats or CSMs of record.
28. If any, liens or judgments levied against the lands within the CSM boundary shall be satisfied, with proof of satisfaction provided prior to CSM approval sign-off.

**Zoning Administrator** (Contact Jacob Moskowitz, (608) 266-4560)

This agency has reviewed the request and recommended no conditions of approval.

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

This agency has reviewed the request and recommended no conditions of approval.

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

This agency has reviewed the request and recommended no conditions of approval.

**Metro Transit** (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed the request and recommended no conditions of approval.

**Parks Division** (Contact Kathleen Kane, (608) 261-9671)

This agency has reviewed the request and recommended no conditions of approval.

**Forestry Division** (Contact Bradley Hofmann, (608) 267-4908)

This agency has reviewed the request and recommended no conditions of approval.

**Assessor's Office** (Contact Debra Crary, (608) 266-4580)

This agency has reviewed the request and recommended no conditions of approval.