



Project Addresses: 330 W Mifflin Street – Capitol Centre South Block

Application Type: Planned Development District

Legistar File ID # [74623](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant: Mike Sturm, City of Madison Parks Division.

Property Owner: City of Madison; Matthew Wachter, Director, Department of Planning and Community and Economic Development, representative.

Requested Actions: Amending the Planned Development District–General Development Plan and Specific Implementation Plan for the southern block of the “Capitol Centre” Planned Development to allow the courtyard in the center of the block to be converted into a public park.

Proposal Summary: The City of Madison is planning to convert the “public mall”/ courtyard in the center of the southern block of the Capitol Centre development to formally become a City park. The courtyard is located on a parcel owned by the City that also includes the adjacent Madison Senior Center. The Parks Division indicates that the approximately half-acre park proposed will help address a deficiency of parkland in the downtown area identified by the 2018-2023 [Park and Open Space Plan](#). Construction of the improvements for the park project will commence around June 1, 2023, with completion scheduled for October 1, 2023.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for the Planned Development zoning district is outlined in Section 28.098 of the Zoning Code.

Review Required By: Urban Design Commission, Plan Commission and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00598 and 28.022–00599, approving an amended Planned Development–General Development Plan and Specific Implementation Plan to allow the courtyard in the center of the block to be converted into a public park, to the Common Council with a recommendation of **approval** subject to input at the public hearing, the approval of the Urban Design Commission, and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The Capitol Centre Planned Development occupies portions of two blocks on the northeasterly side of N Broom Street between W Mifflin Street and W Johnson Street. The subject southern block of Capitol Centre occupies 2.65 acres of land bounded on the north by W Dayton Street and on the south by W Mifflin Street. The site is located in Alder District 4 (Verveer) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The southern block of Capitol Centre includes the City’s through-block, 629-stall Overture Center Parking Garage, the one-story, approximately 16,000 square-foot building at 111 N Broom

Street that houses Capitol Centre Foods, and a six- and sixteen-story, mixed-use building addressed as 333 W Dayton Street, which includes approximately 200 apartments, the 20,000 square-foot Madison Senior Center, and approximately 5,100 square feet of ground floor commercial space on both the Dayton and Mifflin frontages. The buildings on the southern block surround an area described in the 1981 PD zoning documents as “mall” and “courtyard,” and on two different Certified Survey Maps of the development as “public mall.”

Surrounding Land Uses and Zoning:

North: The northern block of Capitol Centre Court Apartments, which includes 150 apartment and townhouse units and 2,074 square feet of commercial space; Madison Fire Department Headquarters and Fire Station 1, and the Ovation mixed-use development, zoned PD;

South: Metropolitan Place mixed-use development, zoned PD;

West: Across N Broom Street, single-, two- and multi-family residences, zoned DR2 (Downtown Residential 2 District); and

East: United States Federal Courthouse, zoned UMX (Urban Mixed-Use District); Overture Center for the Arts, zoned DC (Downtown Core District).

Adopted Land Use Plans: The subject site and properties located northwesterly of W Mifflin Street are identified in the Downtown Mixed-Use (DMU) district by the 2018 Comprehensive Plan, while the adjacent properties to the southeast across Mifflin are recommended for the Downtown Core (DC) district.

The 2012 Downtown Plan includes the subject site in the “Downtown Core” District and recommends that these properties be developed with Downtown Mixed-Uses. The plan identifies the Downtown Core Neighborhood/District as “the center of Downtown, and should generally possess the highest intensity of development. A mix of office, employment, retail, government, residential, cultural, entertainment, and other uses should be pursued to retain the area’s vibrancy, including beyond normal business hours.”

Zoning Summary: The subject site is zoned PD(SIP). A review of the proposed amended PD(GDP-SIP) follows.

Other Critical Zoning Items	
Yes:	Urban Design (PD zoning), Utility Easements
No:	Floodplain, Wellhead Protection, Waterfront Development, Landmark, Adjacent to Park, Barrier Free
Prepared by: Jenny Kirchgatter, Asst. Zoning Administrator	

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

Public Utilities and Services: The property is served by a full range of urban services, including seven-day Metro Transit on multiple lines operating on State Street, W Gorham Street, W Johnson Street, N Broom Street, and W Washington Avenue.

Previous Approvals

On August 18, 1980, the Common Council approved a request to rezone 4.1 acres of land on the western halves of Blocks 53 and 54 of the Original (Prichette) Plat of Madison addressed as 101-299 N Broom Street from R6 (General Residence District), C2 (General Commercial District), and C3 (Highway Commercial District) to PUD-GDP

(Planned Unit Development–General Development Plan) [1966 Zoning Code] to guide the “Capitol Centre” mixed-use redevelopment of City-owned parking lots. The City initiated redevelopment of the properties in 1976 according to the zoning file.

On March 24, 1981, the Common Council approved a request to rezone 101-299 N Broom Street from PUD-GDP to Amended PUD-GDP and PUD-SIP to allow construction of a mixed-use building with 150 market-rate apartment and townhouse units and 2,100 square feet of commercial space on the north block of Capitol Centre (now 333 W Johnson Street), and construction of approximately 25,000 square feet of commercial space, including an approximately 16,000 square-foot, one-story commercial building adjacent to N Broom Street, 200 senior apartments in a six- and sixteen-story mixed-use building that includes the 20,000 square-foot Madison Senior Center, and an approximately 630-stall public parking garage (now the Overture ramp) on Block 53 (now 318-340 W Mifflin Street and 333 W Dayton Street). The overall development includes approximately 220 spaces of automobile parking for tenants of the two blocks. The center of both blocks include central open space courtyards, with the courtyard on Block 53 described on a three-dimensional Certified Survey Map (CSM 3753) as a “public mall.”

On June 15, 1982, the Common Council approved an amended Specific Implementation Plans for 354 W Mifflin Street to allow design modifications for the one-story commercial building adjacent to N Broom Street.

Project Description, Analysis and Conclusion

The Parks Division is requesting approval of a major alteration to the Planned Development zoning for the south block of Capitol Centre, which occupies the western half of original Block 53 generally addressed as 318-340 W Mifflin Street and 333 W Dayton Street. The proposed alteration calls for the at-grade open space in the center of the block to formally become a City of Madison park.

The southern block of Capitol Centre includes the one-story, approximately 16,000 square-foot commercial building adjacent to N Broom Street that houses Capitol Centre Foods, 200 senior apartments in a six- and sixteen-story mixed-use building that includes the 20,000 square-foot Madison Senior Center on the W Mifflin Street side and roughly 5,100 square feet of ground floor commercial space facing Dayton and Mifflin, and the approximately 630-stall Overture public parking garage (all now addressed as 318-340 W Mifflin Street and 333 W Dayton Street). The mixed-use and commercial buildings are privately owned, while the Overture Ramp, Senior Center, and courtyard in the center of the block are owned by the City.

The Parks Division will assume operation of the courtyard, which is on the same parcel as the Senior Center at 330 W Mifflin Street. [Note: The south block of Capitol Centre is configured as five parcels created by two three-dimensional Certified Survey Maps recorded in 1981 and 2010. With the exception of the one-story commercial building at 340 W Mifflin/111 N Broom, each of the remaining parcels have configurations that vary by floor and include various easements and divided air rights.] The courtyard, which is also referred to as “mall,” “public mall” and “plaza” in the zoning file and plans as well as the two CSMs, will be operated as a public park. As part of the Block 53 courtyard becoming a public park, the Parks Division will oversee a renovation of the space, which is largely unchanged from how it was developed forty years ago. Plans for the renovated park are included in the project plans attached to the legislative file; the project plans also include renderings of how the park will look following the renovations. As noted in the letter of intent, the nearly half-acre of open space that will be added to the City’s park system will help address a deficiency of public parkland in the downtown area, as noted in the most recent [Park and Open Space Plan](#).

The purpose of the proposed major alteration to the PD(GDP-SIP) for the south block of Capitol Centre is twofold: to amend the plans for the block to incorporate the plans for the renovation of the courtyard into a public park, and to enshrine in the zoning documents the use of the open space as public parkland. The 1980s-era PD materials are ambiguous about the use of the courtyard, particularly the zoning text, which includes a vague use list (“land use schedule”) and references to usable open space being “as shown on the approved plans” despite no specific references to any such open space on the plans, which are legibility impaired due to their age, reduction for recording, and subsequent scanning into digital format. Staff feels the proposed amendment will resolve the ambiguity by allowing a more contemporary zoning text to be recorded for this portion of the Capitol Centre Planned Development, which will specifically reference the conversion of the courtyard to a public park and include a specific use list (or reference to a conventional downtown zoning district like UMX or DC).

The Urban Design Commission reviewed the Amended PD(GDP-SIP) on November 30, 2022 and recommended **final** approval subject to a condition that a second pet waste station be added to the plans for the renovated park space.

In closing, the Planning Division believes that the Plan Commission can find that the standards for approval are met for the Amended PD(GDP-SIP) for the southern block of Capitol Centre subject to the conditions in the following section.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, (608) 261-9632)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00598 and 28.022–00599, approving an amended Planned Development–General Development Plan and Specific Implementation Plan to allow the courtyard in the center of the block to be converted into a public park, to the Common Council with a recommendation of **approval** subject to input at the public hearing, the approval of the Urban Design Commission, and the conditions from reviewing agencies:

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

Planning Division

1. That the applicant work with Planning and Zoning staff to update the zoning text applicable to the subject site to reflect contemporary allowable uses, clarify the proposed public park use in the block, and any other revisions needed, as determined by the Zoning Administrator prior to recording of the Amended PD(GDP-SIP).

Urban Design Commission (Contact Jessica Vaughn, (608) 267-8740)

The Urban Design Commission granted **final approval** of the Amended PD(GDP-SIP) on November 30, 2022 subject to the following comment and condition:

2. Add a second pet waste station for the park.

City Engineering Division (Contact Tim Troester, (608) 267-1995)

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

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

3. A public park area is being proposed over the Mall Easement as set forth on CSM 3753 and subject to some general provisions in the development agreement per Document No. 1714545. The development agreement provides basic items that the City is responsible for, including the mall (plaza) area. With the more intense and specific public park improvements, it is suggested that the responsibilities of the Parks Division and underlying owner of the mall property be set forth in an amendment to the developer agreement or in a separately recorded document.
4. There are two public access, service and maintenance easements defined on CSM 3753 to the mall area (to be park area) from W Mifflin Street and W Dayton Street. It is suggested that a separate document or amendment be drafted, executed and recorded that better defines the private and public responsibilities within these access easement areas in regard to the access facilities and as they are impacted by the other public uses allowed within those access areas.

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

5. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
6. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

7. 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 10,000 square feet in size must be prepared by a registered landscape architect.
8. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

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

Parks Division (Contact Ann Freiwald, (608) 243-2848)

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.

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

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

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City Forestry Section (Contact Wayne Buckley, 266-4892)

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