



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 29 S Mills Street (District 13 – Alder Evers)  
**Application Type:** Zoning Map Amendment, Demolition Permit and Conditional Use  
**Legistar File ID #** [80829](#), [80430](#), and [80431](#)  
**Prepared By:** Chris Wells, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** The Alexander Company, Inc.; 2450 Rimrock Road, Suite 100; Madison, WI 53713  
**Contact:** Adam Winkler; The Alexander Company, Inc.; 2450 Rimrock Road, Suite 100; Madison, WI 53713  
**Property Owner:** Neighborhood House Community Center, Inc.; 29 S Mills Street; Madison, WI 53715

**Requested Actions:** There are three requests before the Plan Commission:

- ID [80829](#) – Consideration of a Zoning Map Amendment to create Section 28.022-00661 of the Madison General Ordinances to change the zoning of property located at 29 South Mills Street from CI (Campus Institutional) District to TSS (Traditional Shopping Street) District;
- ID [80430](#) – Consideration of a demolition permit to demolish a community center at 29 S Mills Street; and
- ID [80431](#) – Consideration of a conditional use in the [Proposed] Traditional Shopping Street (TSS) District for dwelling units in a mixed-use building containing 49-60 units; consideration of a conditional use in the TSS District for indoor recreation; and consideration of a conditional use in the TSS District and Transit-Oriented Development (TOD) Overlay for a building taller than four stories and 60 feet in height, all to allow construction of a six-story, mixed-use building containing a 16,300-square-foot community center and gymnasium and 60 apartments at 29 S Mills Street.

**Proposal Summary:** The applicant is requesting the approvals to demolish the existing community center before constructing a six-story, mixed-use building containing a community center and gymnasium and 60 apartments. The applicant proposes to demolish the existing structure and begin construction in the fall of 2024, with completion anticipated at the end of 2025.

**Applicable Regulations & Standards:** This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(9)(c)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28D-2 in MGO Section 28.061 states that in the [Proposed] Traditional Shopping Street (TSS) District, a conditional use is required for a dwelling units in a mixed-use building containing 49-60 units; as is for indoor recreation. The table located in MGO Section 28.104(4)(b) states that, in the TSS District, buildings exceeding 4 stories/60 feet may be allowed with conditional use approval. Finally, the Supplemental Regulations [MGO §28.151] contain further applicable regulations for both *Dwelling Units in a Mixed-Use Building* and *Indoor Recreation*.

**Review Required By:** Plan Commission and Common Council.

### Summary Recommendation:

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the existing community center building;
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00661, rezoning 29 South Mills Street from CI (Campus Institutional) District to TSS (Traditional Shopping Street) District, to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that standards for conditional uses are met and **approve** the requests for a mixed-use building containing 49-60 units in the [Proposed] Traditional Shopping Street (TSS) District; for indoor recreation in the TSS District; and for a building taller than four stories and 60 feet in height in the TSS District and Transit-Oriented Development (TOD) Overlay District - all to allow construction of a six-story, mixed-use building containing a 16,300-square-foot community center and gymnasium and 60 apartments at 29 S Mills Street.

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

## Background Information

**Parcel Location:** The development site is 28,431 square-feet (0.65 acres) in area and is located to the northeast of the intersection of S Mills Street and Milton Street. It is located within Alder District 13 (Ald. Evers) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is developed with a roughly 8,500-square-foot community center building which was originally constructed in 1965. According to the applicant, it has three floors arranged in a split-level design. While one story is above grade, the building's restrooms, kitchenette, small gymnasium, and classrooms are all below grade. The site is currently zoned CI (Campus Institutional) District.

### Surrounding Land Uses and Zoning:

North: A three-story medical clinic. It is zoned CI (Campus Institutional District);

East: A two-story medical office building. It is zoned PD (Planned Development District);

South: Across Milton Street are two 18-unit apartment buildings in the PC District and a 4-unit in the TR-U1 (Traditional Residential – Urban 1 District); and

West: Across S Mills Street are single-family residences and 2- and 6-unit apartment buildings, all located in the TR-V1 (Traditional Residential – Varied 1 District).

**Adopted Land Use Plan:** The 2018 [Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU) uses for the subject site, which it describes as 2-4 stories and up to 70 dwelling units per acre. Staff note that until recently, the Plan recommended SI (Special Institutional) uses for the subject site. This change in recommendation was approved by the Common Council at their meeting on December 5, 2023 as part of an interim update to the Comprehensive Plan (Legistar ID [80281](#)).

The [Regent Street-South Campus Neighborhood Plan](#) (2008) designates the subject property as a "Community Facility" Special District, recognizing the long-standing use of the site by the Neighborhood House. The height map recommends a maximum of eight (8) stories on this site.

The [Greenbush Neighborhood Plan](#) (2008) recommends Employment (E) uses for the subject site. Specifically regarding the Neighborhood House, on Page 54, under Community Resources Goals, the Plan recommends to “improve the physical [...] resources of Neighborhood House. Building improvements include additional space for programming (including storage and office space, improve food pantry, upgrade to make it ADA wheelchair accessible)...” More generally, the plan recommends increasing affordable housing as well as providing housing opportunities “for a diverse population including students, families, and the elderly.”

The [Brittingham-Vilas Neighborhood Plan](#) (1989) specifically recommends “supporting the continued operation, maintenance, and upgrading of the Neighborhood House Community Center.” It also listed as two of its goals, #3: Provide a variety of housing choices to attract a diverse population to the neighborhood by providing affordable housing opportunities in the neighborhood; and #8: Preserve and promote the historic, cultural, and scenic resources of the neighborhood.

**Zoning Summary:** The site is proposed to be rezoned to the Traditional Shopping Street (TSS) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	28,431
Lot Width	None	150 ft
Front Yard Setback	None	3 ft
Max. Front Yard Setback	25 ft	3 ft
Side Yard Setback	5 ft, 6 ft	5.9 ft, 5.8 ft (See Comment #30)
Rear Yard Setback	20 ft	22.7 ft
Maximum Lot Coverage	85%	59%
Maximum Building Height	None with conditional use	6 stories

Site Design	Required	Proposed
Number Parking Stalls	No minimum, 150 maximum	40
Electric Vehicle Stalls	EV Ready: 4 stalls EV Installed: 2 stalls	EV Ready: 4 stalls EV Installed: 2 stalls (See Comment #32)
Accessible Stalls	2	2
Loading	No	No
Number Bike Parking Stalls	Dwelling units: 69 Community center: 7	78
Landscaping and Screening	Yes	Yes (See Comment #33)
Lighting	Yes	Yes
Building Form and Design	Yes	Commercial Block

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

Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

**Public Utilities and Services:** The site is served by a full range of urban services, including Metro Transit service which operates daily all-day transit service along South Park Street near this property - with trips at least every 30 minutes. Additional service operates along Regent Street - with trips at least every 60 minutes.

## Project Description

The applicant is requesting approval of a demolition permit to raze the existing community center building, three conditional uses (for the number of units, for the height, and for indoor recreation), and a zoning map amendment to rezone the parcel from the CI (Campus Institutional) District to the TSS (Traditional Shopping Street) District – all to allow the construction of a six-story, mixed-use building containing a 16,300-square-foot community center and gymnasium and 60 apartments at 29 S Mills Street.

The 0.65-acre subject site is located to the northeast of the intersection of S Mills Street and Milton Street.

The subject site is developed with a roughly 8,500-square-foot community center building which was originally constructed in 1965. According to the applicant, it has three floors arranged in a split-level design. While one story is above grade, the building's restrooms, kitchenette, small gymnasium, and classrooms are all below grade. Photos provided by the applicant of the existing structures are available [here](#), under Legislative file [80430](#).

Once demolished, the applicant proposes to construct a mixed-use building with 60 residential units and approximately 16,300 square-feet of community center space on its ground floor. The Neighborhood House Community Center will occupy the ground floor space which will have three entries – one located roughly midway along the S Mills Street, a second to the north, at the building's northwest corner, and the third along the Milton Street façade. The majority of the Neighborhood House space will be occupied by office and meeting rooms. The gymnasium, previously smaller in size and located in the basement, will be three stories in height and located on the ground floor, at the building's southwest corner.

Residential units will be exclusively located on the upper floors save for 2 three-bedroom townhouse (two-story) units which will be located at the building's northeast corner. These units will only have external entries located along the northern façade and will be accessed from the S Mills Street sidewalk via a private walkway which runs along the façade. While a third townhome unit will similarly be accessed along this northern façade, the unit itself will be located entirely on the second floor. Staff note that the remainder of the second floor (roughly 13,000 square-feet of space) will remain completely unfinished – be it the lack of an actual floor (it will be open to below), or a lack of windows. In conversations with Staff, the applicant has noted that the floor may be added and the space finished at some point in the future depending on the budget and need. The remaining 57 residential units will occupy floors three through six. In all, the unit breakdown will consist of 40 one-bedroom, 14 two-bedroom, and 6 three-bedroom units. The primary residential entrance will be located along the Milton Street façade and provide access to a small vestibule, leasing office, lobby, and elevator. As for residential amenities, individual residential storage units will be located on the third floor, and a community room - with access to the patio located on the gymnasium roof – will be located on the fourth.

A single level of below-grade parking, accessed from Milton Street, will contain 40 automobile stalls (one of which will have a charger for electric vehicles and another four will be electric vehicle charging-ready) and 70 bicycle stalls. Staff note that a second space equipped with a charger for electric vehicles will need to be added before final sign off. Eight surface bicycle stalls for guests will be located along the Milton Street façade.

Regarding external materials, the building will be primarily clad with reddish brick, grey corrugated metal, and a greenish cement board paneling. A thick band of 'burnt wood'-colored metal paneling will clad the majority of the gymnasium's two façades while a thinner band, at the second floor level, will wrap around the building's northwest and southeast corners.

Finally, regarding street tree impacts, none of the seven existing trees are slated for removal.

## Analysis

This proposal is subject to the standards for zoning map amendments [MGO Section 28.182(6)] and Demolitions [MGO Section 28.185(9)(c)]. It is also subject to the standards for Conditional Uses [MGO §28.183(6)] as Table 28D-2 in MGO Section 28.061 states that in the [Proposed] Traditional Shopping Street (TSS) District, a conditional use is required for a dwelling units in a mixed-use building containing 49-60 units; as is for indoor recreation. The table located in MGO Section 28.104(4)(b) states that, in the TSS District, buildings exceeding 4 stories/60 feet may be allowed with conditional use approval. Finally, the Supplemental Regulations [MGO §28.151] contain further applicable regulations for both *Dwelling Units in a Mixed-Use Building* and *Indoor Recreation*.

### Conformance with Adopted Plans

The 2018 [Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU) uses for the subject site, which it describes as 2-4 stories and up to 70 dwelling units per acre. The 2018 [Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU) uses for the subject site, which it describes as 2-4 stories and up to 70 dwelling units per acre. Staff note that until recently, the Plan recommended SI (Special Institutional) uses for the subject site. This change in recommendation was approved by the Common Council at their meeting on December 5, 2023 as part of an interim update to the Comprehensive Plan (Legistar ID [80281](#)).

The [Regent Street-South Campus Neighborhood Plan](#) (2008) designates the subject property as a “Community Facility” Special District, recognizing the long-standing use of the site by the Neighborhood House. The height map recommends a maximum of eight (8) stories on this site.

The [Greenbush Neighborhood Plan](#) (2008) recommends Employment (E) uses for the subject site. It also locates the site within the ‘medical district’ for which it recommends “*retaining medical facilities within the neighborhood; however, expansion of such facilities should be compact. Support greater building heights toward South Park and Regent Streets. New constructions should be of high quality building design, materials and landscaping that is reflective of the historic, architectural features of the neighborhood.*”

Specifically regarding the Neighborhood House, on Page 54, under Community Resources Goals, the Plan recommends to “*improve the physical [...] resources of Neighborhood House. Building improvements include additional space for programming (including storage and office space, improve food pantry, upgrade to make it ADA wheelchair accessible)...*”

More generally, the plan recommends increasing affordable housing as well as providing housing opportunities “for a diverse population including students, families, and the elderly.”

The [Brittingham-Vilas Neighborhood Plan](#) (1989) specifically recommends “*supporting the continued operation, maintenance, and upgrading of the Neighborhood House Community Center.*” It also listed as two of its goals, #3: *Provide a variety of housing choices to attract a diverse population to the neighborhood by providing affordable housing opportunities in the neighborhood;* and #8: *Preserve and promote the historic, cultural, and scenic resources of the neighborhood.*

### 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 currently 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 structure and notes that the building is outdated and has a large amount of deferred maintenance and the plumbing system occasionally backs up and is in need of repair. From the submitted information, staff is not aware of significant structural issues. While the code notes condition must be considered, it does not specify that a certain structural condition or level of disrepair is necessary in order to approve a demolition.

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.”*

The Landmarks Commission reviewed the demolition of the community center building at its September 18, 2023 meeting and recommended to the Plan Commission that the building at 29 S Mills Street *“has historic value due to cultural significance, but the building itself is not architecturally significant.”*

Of note, in the Staff Report to the Landmarks Commission referenced above, for the building at 29 S Mills Street, Staff note, *“The preservation file contains a file from the Wisconsin Historic Preservation database which describes the building as an International Style meeting hall potentially eligible for landmark designation, as identified in the City of Madison Underrepresented Communities Historic Resource Survey. Served as the 5th home of the Neighborhood House, which has provided services to a wide variety of communities in the Greenbush area since 1916. In the mid-1970s helped the earliest Hmong refugees in Madison find housing, employment, and child-care, and more. The WHS site file contains similar information.”* (Materials related to that review from the September 18, 2023 meeting can be found here: the [Staff Report to the Landmarks Commission](#) and the [Meeting Report](#).)

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.”* In applying this standard, the Plan Commission must consider the required information and advisory

recommendations and make findings related to the demolition section's statement of purpose overall health, prosperity, safety, and welfare of the City. As part of this evaluation, the Plan Commission should give careful consideration to the findings of the Landmarks Condition. Unlike many other recommendations which often focus on the significance of the building itself, the Landmarks Commission here have noted that the historic value is related to the cultural significance Neighborhood House institution, as the building itself was not noted as having architectural significance. As recognized that the current building is one of five previous buildings that have housed the institution, on-balance staff believes that the demolition standards can be found met.

### **Zoning Map Amendment Standards**

The standards for Zoning Map Amendments state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "*consistent with*" as "*furtheres or does not contradict the objectives, goals and policies contained in the comprehensive plan.*"

Staff believe the proposed rezoning could be found to be consistent with adopted plans. Regarding the Comprehensive Plan's Neighborhood Mixed-Use (NMU) recommendation, which it describes as 2-4 stories and up to 70 dwelling units per acre, staff note that the subject site is located within the Transit-Oriented Development (TOD) Overlay District (which allows a bump in building height from 3 stories/40 feet in the TSS District to 4 stories/60 feet). Further, the more site-specific Regent Street-South Campus Plan specifically recommends up to eight story heights for the subject site. Considering that the Comprehensive Plan states that "substantial weight should be given to sub area plans" when there are inconsistencies, staff believes both the rezoning and proposed development would be consistent with the Comprehensive Plan.

### **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].*"

Staff provide the following discussion:

Standard 3 states:

*"The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner."*

Staff note that the interior recreation use (i.e. the gymnasium) will occur exclusively within the building, similar to what is currently happening on the property. There are no exterior-facing doors or windows to this space which could be left/propped open. As such staff, do not believe this use will result in negative impacts related to generated sound.



Standard 6 states:

*“Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.”*

The applicant will need to complete and submit a Transportation Demand Management Plan to be reviewed and approved by Parking staff prior to final sign off and issuance of permits.

Standard 9 states, in part:

*“When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district.”*

This standard represents the most significant question for Planning Staff at the time of report writing. Planning staff, including the Urban Design Commission Secretary, have had several meetings with the applicant to provide design-related feedback. Staff believes that much improvement has been made in this regard – be in a simplification of and more consistent application of the materials on the exterior, more consistent and improved alignment of the various design elements across the building (both vertically and horizontally), etc. While staff acknowledge the improvements and the applicant’s willingness to work with staff, there remain a few issues that staff believes are necessary to be resolved in order to fully align the development with this standard.

One such concern pertains to the extent of the corrugated metal used. Aesthetically, while corrugated metal has been used on some residential and mixed-use buildings, it is not typically used in this amount. Additionally, Staff are aware of certain installations in which large fields can appear wavy under certain weather conditions, sometimes referred to as an “oil canning” effect. The applicant has cited both budget and aesthetic considerations in choosing this material. Staff have added a design condition related to this and would support an alternative material.

Based on follow-up discussions with the development team, there remain some design details that would be resolved in the future if/when the project design advances. Staff’s recommendation includes a detailed condition (#1) related to these considerations.

With the improvements noted above and the aforementioned recommended design condition, Staff believe this standard can be found met.

### **Supplemental Regulations**

Section 28.151 of the Zoning Code includes the following supplemental regulations for Indoor Recreation:

In the NMX and TSS Districts, the facility shall be located at least fifty (50) feet from the boundary of any residential use or district.

Staff believe this regulation is met as the community center’s gymnasium is located roughly 73 feet from the TR-V1 zoned lots to the west, across S Mills Street, and roughly 92 feet from the TR-U1-zoned lots to the south, across Milton Street



Section 28.151 of the Zoning Code includes the following supplemental regulations for Dwelling Units in Mixed-Use Buildings:

- (a) In the LMX, NMX, TSS and CC-T Districts, at least fifty percent (50%) of the ground-floor frontage facing the primary street, including all frontage at a street corner, shall be non-residential. Less non-residential frontage requires conditional use approval.
- (b) Residential use shall be limited on the ground floor of buildings on King Street; South Pinckney Street; State Street; the 10 through 500 blocks of East Wilson Street; the 100 blocks of West and East Mifflin Streets; the 100 blocks of West and East Main Streets; and on the Capitol Square, which is formed by the 10 blocks of East and West Mifflin, the 10 blocks of North and South Pinckney, the 10 blocks of East and West Main, and the 10 blocks of North and South Carroll Streets. Residential use is prohibited within the following areas:
  1. The area of the lot abutting street frontages in Sub. (f) above, the lesser of a depth of forty feet (40') or forty percent (40%) of the depth of the lot as measured along these frontages.
- (c) In residential districts, allowed uses are those specifically included and identified as permitted and conditional uses in the district use tables. The bulk requirements for the multi-family use in the district apply.

Staff believe these Supplemental Regulations can be found met.

### Public Input

At time of writing, Staff have not received any public comments.

## Conclusion

The applicant is requesting approval of a demolition permit to raze the existing community center building, three conditional uses (for the number of units, for the height, and for indoor recreation), and a zoning map amendment to rezone the parcel from the CI (Campus Institutional) District to the TSS (Traditional Shopping Street) District – all to allow the construction of a six-story, mixed-use building containing a 16,300-square-foot community center and gymnasium and 60 apartments at 29 S Mills Street. As noted in this report, Staff believe the demolition, zoning map amendment, and conditional use standards can be found met, subject to the below conditions.

## Recommendation

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

- That the Plan Commission find that the standards for demolition permits are met and **approve** the demolition of the existing community center building;
- That the Plan Commission find that the Zoning Map Amendment Standards are met and forward Zoning Map Amendment ID 28.022-00661, rezoning 29 South Mills Street from CI (Campus Institutional) District to TSS (Traditional Shopping Street) District, to the Common Council with a recommendation of **approval**.
- That the Plan Commission find that standards for conditional uses are met and **approve** the requests for a mixed-use building containing 49-60 units in the [Proposed] Traditional Shopping Street (TSS) District; for indoor recreation in the TSS District; and for a building taller than four stories and 60 feet in height in the TSS District and Transit-Oriented Development (TOD) Overlay District - all to allow construction of a six-story, mixed-use building containing a 16,300-square-foot community center and gymnasium and 60 apartments at 29 S Mills Street.

Approval of the project should be subject to input at the public hearing, and the recommended conditions beginning below.

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

**Planning Division** (Contact Chris Wells, (608) 261-9135)

1. In order to find Conditional Use Standard 9 is met, the following additional information/modifications shall be provided for approval by Planning Division staff prior to the final sign off and the issuance of permits.
  - a. The applicant provides a material board or other mock-up that accurately depicts the final exterior materials and colors in a form acceptable to staff.
  - b. Accurate material transition/corner detail information/details shall be provided for where the brick veneer transitions to other materials, including metal.
  - c. Additional information shall be provided regarding the corrugated metal. It shall be demonstrated that the selected material is of a suitable design, thickness, and installation method to substantially avoid visual waviness or "oil canning" effect. It shall also be determined by the Zoning Administrator to meet the all applicable Zoning regulations including those related to non-reflectivity and appropriate thickness/gauge. An alternate corrugated panel/panel system(s) will be required to meet this condition if the above cannot be found met. As an alternative, a flat/non-corrugated metal panel or other material allowed by the Zoning Code would also be considered consistent with this approval if approved by staff.
  - d. Approved plans show some street-facing HVAC louvers. All street facing louvers shall be painted or otherwise designed to match and/or blend into the surrounding materials. Louvers shall generally be located as depicted on the plans, though slight modifications may be made as the design progresses. More significant alterations, as determined by Planning Division staff will require a formal alteration to this approval.

**Engineering Division (Main Office)** (Contact Tim Troester, (608) 267-1995)

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 (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
10. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

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>

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 – Mapping** (Contact Julius Smith, (608) 264-9276)

14. The address of the proposed apartments is 1024 Milton St. Additional detail is needed to determine the address of the community center. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

15. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com)) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings.

The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning.

The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

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

16. 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.
17. 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.
18. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
19. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

20. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
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.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) – Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
22. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
23. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
24. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
25. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
26. "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.
27. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
28. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

**Parking Review** (Contact Trent W Schultz)

29. The applicant shall submit a Transportation Demand Management (TDM) Plan to [tdm@cityofmadison.com](mailto:tdm@cityofmadison.com). The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff

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

30. The required setback from the east property line is 6 ft. Plans appear to show a setback of 5.8 ft. Submit revised plans showing the required setback is met.

31. Section 28.185(9)(b) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at [streets@cityofmadison.com](mailto:streets@cityofmadison.com) prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9)(b) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission approval.

32. Label the EV installed stalls.

33. 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.

34. As proposed, the new rooftop mechanical equipment will not be visible to view. Upon installation, if the new rooftop mechanical equipment is visible, screening will be required per Section 28.142(9)(d).

35. Show the trash enclosure area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure.

**Madison Fire Department** (Contact Matt Hamilton, (608) 266-4457)

36. Provide fire apparatus access as required by IFC 503 2021 edition, MGO 34.503. Provide fire access plan

37. IFC 504.3 Provide stairway access to roof

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

38. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. Please reference ID# 23041 when contacting Parks about this project.

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

39. 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.

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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.
47. 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.



48. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on both the landscape and street tree plan sets: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

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

49. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

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

50. Metro Transit operates daily all-day transit service along South Park Street near this property - with trips at least every 30 minutes. Additional service operates along Regent Street - with trips at least every 60 minutes.
51. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 97 Weekday & 65 Weekend. Please contact Metro Transit if additional analysis would be of interest.