



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 506-518 E Wilson Street and 134-148 S Blair Street

**Application Type:** Demolition Permit, Zoning Map Amendment, Conditional Use, and Certified Survey Map Referral

**Legistar File ID #** [81923](#), [82903](#), [81925](#), and [81945](#)

**Prepared By:** Timothy M. Parks, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** Brian Johnson, JCAP Real Estate; 212 S Barstow Street; Eau Claire.

**Contact Person:** Brian Munson, Vandewalle & Associates; 120 E Lakeside Street; Madison.

**Property Owner:** Robert L. Worm, JDJ Import Company, LLC/ Ruby Marie, LP; 516 E Wilson Street; Madison.

### Requested Actions:

- ID [81923](#) – Consideration of a demolition permit to demolish five commercial buildings located at 506-518 E Wilson Street;
- ID [82903](#) – Consideration of a request to rezone 506-518 E Wilson Street and 134-148 S Blair Street from PD (Planned Development District) to UMX (Urban Mixed-Use District);
- ID [81925](#) – Consideration of a conditional use in the [Proposed] UMX (Urban Mixed-Use District) for a new building greater than 20,000 square feet and more than four stories; consideration of a conditional use in the UMX District for a multi-family dwelling with greater than eight (8) units; and consideration of a conditional use per Section 28.137(2)(e) of the Zoning Code for a planned multi-use site containing a hotel, all to allow construction of a six-story, 100-room hotel on E Wilson Street and eight-story, 178-unit apartment building and structured parking on S Blair Street.; and
- ID [81945](#) – Consideration of a Certified Survey Map of property owned by JCAP Real Estate and JDJ Imports Company, LLC located at 506-518 E Wilson Street and 134-148 S Blair Street to create two lots for the proposed mixed-use development.

**Proposal Summary:** The applicant proposes to demolish five buildings located along the E Wilson Street frontage to construct a six-story 100-room hotel. On the site of the adjacent parking lot, the applicant proposes to construct an eight-story, 178-unit apartment building that will front onto S Blair Street. The various parcels comprising the site will be reconfigured into two lots by Certified Survey Map. Construction of the project would commence this fall, with completion anticipated in 2026.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. Table E-2 in Section 28.072(1) identifies hotels as a permitted use in the UMX (Urban Mixed-Use) zoning district, and multi-family dwellings with greater than eight (8) units as a conditional use in UMX zoning. Section 28.076(4) requires conditional use approval in UMX zoning for all new buildings and additions greater than 20,000 square feet or that have more than four (4) stories. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Section 28.071(3), if applicable, and the Downtown Urban Design Guidelines, and shall report its findings to the Plan Commission. Section 28.137(2)(e) requires that a planned multi-use site containing more than 40,000 square feet of floor area and where 25,000 square feet or more of floor area is designed or intended for retail use or for hotel or motel use requires

conditional use approval following a recommendation on the design by the Urban Design Commission. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits. The subdivision process is outlined in Section 16.23(4)(f) of the Subdivision Regulations.

The maximum height allowed on the subject site is six (6) stories and 88 feet according to the Downtown Height Map in Section 28.071(2)(a) of the Zoning Code, with the rest of the site mapped for up to three (3) stories and 46 feet of height. Buildings must meet both the maximum number of stories in the Downtown Height Map and the maximum height in Table 28E-3. However, the applicant is proposing to avail themselves of a provision in Section 28.071(2)(a)2 that allows buildings with a voluntary contractual Land Use Restriction Agreement ("LURA") with the City to provide income and rent-restricted dwelling units ("affordable units") to exceed the maximum number of stories, provided the building remains at or below the maximum height in feet. To exceed the maximum number of stories, the building shall meet the following requirements:

- a. Any development or redevelopment with City of Madison funding to support affordable units; or
- b. For buildings without City funding to support affordable housing funding:
  - i. The cumulative interior square footage of the affordable units shall be greater than or equal to fifty percent (50%) of the total interior square footage of all units and common amenity space, such as community rooms and fitness rooms, above the maximum number of stories in the Downtown Height Map. Subject to the details in the LURA, the cumulative square footage of the affordable housing units may be distributed throughout the building.
  - ii. The affordable units shall be rented to households with an income at or below sixty percent (60%) area median income limits and at or below rent limits for sixty percent (60%) area median income as specified in the LURA.
  - iii. The effective period of the LURA must be at least thirty (30) years.

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

**Summary Recommendation:** The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission find the standards for demolition permits are met to **approve** demolition of five commercial buildings located at 506-518 E Wilson Street
- That the Plan Commission forward Zoning Map Amendment ID 28.022-00669, rezoning 506-518 E Wilson Street and 134-148 S Blair Street from PD to UMX, to the Common Council with a recommendation of **approval**;
- That the Plan Commission find the standards for conditional uses are met to **approve** construction of a six-story, 100-room hotel and eight-story, 178-unit apartment building at 506-518 E Wilson Street and 134-148 S Blair Street, subject to input at the public hearing and the conditions from reviewing agencies beginning on **page 12**; and
- That the Plan Commission forward the Certified Survey Map divide 506-518 E Wilson Street and 134 S Blair Street into two lots to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 24**.

## Background Information

**Parcel Location:** Approximately 1.53 acres generally located at the northwestern corner of E Wilson Street and S Blair Street, Ald. Dist. 6 (Rummel); Madison Metropolitan School District. Portions of the subject site are split between the First Settlement Historic District and the Third Lake Ridge Historic District.

**Existing Conditions and Land Use:** The subject site is comprised of eight parcels zoned PD containing a total of five buildings:

- 506 E Wilson Street is developed with a two-story, 6,352-square-foot mixed-use building constructed in 1875, which contains a restaurant-nightclub on the first floor and four apartments (per City records);
- 510 E Wilson Street is developed with a two-story, 4,138 square-foot commercial building constructed in 1875, with multiple additions built through 1956 according to City records;
- 514 E Wilson Street is developed with a two-story, 3,042 square-foot commercial building constructed in 1909;
- 516 E Wilson Street is developed with a two-story, 2,633 square-foot commercial building built in 1909;
- 518 E Wilson Street is developed with a two-story mixed-use building constructed in 1890, which contains 1,452 square feet of commercial space on the first floor and two apartments above; and
- 134, 140, and 148 S Blair Street total 44,471 square feet (1.02 acres) of land developed as surface parking lot primarily used by the restaurant-nightclubs on E Wilson Street and the three-story, 15-room Hotel Ruby Marie at 522 E Wilson Street, which is owned and operated by the current owner of the eight parcels. A note in the parcel record for the hotel suggests that the elevator addition for the hotel constructed in 2000 may extend onto the 148 S Blair Street parcel.

### Surrounding Land Uses and Zoning:

**North:** Residential development ranging from single- and two-family homes to larger structures including the Franklin Street Condominiums, zoned DR1 (Downtown Residential 1 District) and PD;

**South:** E Wilson Street and its intersection with John Nolen Drive and Williamson Street and Wisconsin and Southern Railroad right of way;

**East:** Madison Gas and Electric offices across S Blair Street, zoned TE (Traditional Employment District); and

**West:** The Germania Condominiums, zoned PD, and a variety of residential uses on S Franklin Street, zoned DR1.

**Adopted Land Use Plans:** The 2012 [Downtown Plan](#) recommends the E Wilson Street frontage of the subject site for Downtown Core Mixed-Use and identifies the remainder of the site for predominantly residential uses. The parking lot is identified on the Parcel Analysis map on page 25 as a site for potential redevelopment or infill development. The site is located in the First Settlement neighborhood/district, and most of the site is recommended for development with up to six stories, except the western edge of the parking lot, which is limited to three stories.

The 2023 [Comprehensive Plan](#) recommends the E Wilson Street frontage for Downtown Core (DC), with Medium Residential (MR) recommended for the portion of the remaining site to be developed up to six stories in height.

The portion of the site recommended for development up to three stories is recommended for Low-Medium Residential (LMR).

**Zoning Summary:** The project will be developed in the UMX (Urban Mixed-Use) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	Lot 1: 37,046 sq. ft. Lot 2: 18,202 sq. ft.
Lot Width	30'	Lot 1: 198.10' Lot 2: 154.50'
Minimum Front Yard Setback	Nonresidential or mixed-use buildings: 0' or 5' Residential buildings: 5'	Hotel: 0' Residential building: 7.5'
Maximum Front Yard Setback	10'	Hotel: 0' Residential building: 7.5'
Side Yard Setback: Street side yard	0'	Hotel: 0' Residential building: 5.5'
Rear Yard	10'	Hotel: Adequate Residential building: 10.1
Maximum Lot Coverage	90%	88%
Usable Open Space	10 sq. ft. per bedroom (1,950 sq. ft.)	3,357 sq. ft.
Minimum Building Height	2 stories	Hotel: 6 stories/70' Residential building: 4 stories/48' and 8 stories/88' (See conditions)
Maximum Building Height	3 stories/46'   6 stories/88'	
Stepback: See Downtown Stepback Map	None	Hotel: None Residential building: 3 <sup>rd</sup> floor and 8 <sup>th</sup> floor
Auto Parking	No minimum (Central Area)	Hotel: 54 (valet)   Residential: 167 (221 total)
EV Parking Stalls	10% EV ready (22)	EV Installed: 6 EV Ready: 24
Accessible Stalls	Yes	Yes
Bike Parking	<b>Hotel:</b> 1 per 10 bedrooms (10) <b>Multi-family dwelling:</b> 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (178); 1 guest space per 10 units (18) (206 total)	31 exterior 226 garage (257 total) (See conditions)
Loading	2 (10' x 50')	Loading area on "living" street
Building Forms	Hotel: Flex building Residential building: Large multi-family building	(See Zoning Conditions)

Other Critical Zoning Items	
Yes:	Landmarks (Third Lake Ridge, First Settlement Districts), Urban Design (UMX zoning), Barrier Free, Utility Easements, Wellhead Protection (WP-17)
No:	Floodplain, Waterfront Development, Adjacent to Park, Transit-Oriented Development
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>	

**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 seven-day Metro Transit service on E Wilson Street. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 219 Weekday and 131 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

## Previous Approvals

On February 2, 1994, the Common Council approved a request to rezone 506-518 E Wilson Street, 125-145 S Franklin Street, and 134-148 S Blair Street from R5 (General Residence District) and C2 (General Commercial District) to Planned Unit Development, General Development Plan (PUD-GDP) [1966 Zoning Code] to allow future construction of 11 townhouses on the east side of S Franklin Street, a three-story, 54-unit apartment building to be located above a partially exposed three-level parking structure on S Blair Street, and a five-story mixed-use building on E Wilson Street with ground floor restaurant-taverns and upper floor apartments.

On February 6, 1996, the Common Council approved a request to rezone 506-518 E Wilson Street, 125-145 S Franklin Street, and 134-148 S Blair Street from PUD-GDP to Planned Unit Development, Specific Implementation Plan (PUD-SIP) [1966 Zoning Code] to allow construction of 11 townhouses on the east side of S Franklin Street, construction of 30 apartments on three floors above the existing two-story restaurant-tavern building on E Wilson Street, and improvements to the shared surface parking lot located along S Blair Street, which was approved with 136 total stalls for the various residential and food and beverage uses within the PUD. The zoning text for the PUD-SIP included an allowance for up to six outdoor events or festivals “some of which coincide with traditional local sports celebrations.” [Note: Of the two residential projects approved with this Specific Implementation Plan, only the 11 townhouses were built, which became the Germania Condominiums.]

On April 22, 2013, March 24, 2014, May 22, 2023, and January 22, 2024, the Plan Commission approved conditional uses and/or PD(SIP) alterations for at 506-518 E Wilson Street and 134-148 S Blair Street to allow various outdoor uses for the restaurant-nightclubs/taverns in the parking lot on S Blair Street.

## Project Description

The applicant is requesting approval of a demolition permit to raze all or portions of five commercial and mixed-use buildings located at 506, 510, 514, 516, and 518 E Wilson Street and conditional uses to allow the approximately 1.53-acre property to be developed with a six-story, 100-room hotel and an eight-story, 178-unit apartment building. The applicant is requesting that the property be rezoned from PD to UMX to facilitate the redevelopment, as well as approval of a Certified Survey Map (CSM) to create two lots for the proposed buildings.

The subject site is comprised of eight parcels. Three of those parcels at 134-148 S Blair Street are primarily improved with a surface parking lot as well as an addition to the Hotel Ruby Marie at 522 E Wilson Street. The existing hotel is not specifically part of the land use or CSM approvals for the new hotel or apartment building, but it will share access with the rest of the proposed development. The five buildings that are proposed to be demolished are all interconnected and used as two restaurant-nightclub/taverns, the Come Back In and Essen Haus. The buildings to be demolished are summarized under '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 [81923](#).

The proposed land division will configure most of the subject site into two lots to facilitate the proposed redevelopment. Proposed Lot 1 will include the five parcels at 506-518 E Wilson Street, which total approximately 0.42 acres. Lot 2 will be comprised of the 134 S Blair Street parcel; the 0.85-acre lot will consist of three whole platted lots and the eastern 54.4 feet of three other lots with 198 feet of S Blair Street frontage. The parcels at 140 and 148 S Blair Street are not part of the proposed CSM.

Lot 1 of the proposed CSM will be developed with the six-story hotel. Plans for the hotel call for a first floor bar/lounge, dining room, conference room convenience store, hotel reception, and hotel support spaces. The hotel will have entrance doors facing E Wilson Street and from a "living street" that the developer proposes to construct along the common line between Lots 1 and 2 and adjacent to the Hotel Ruby Marie property. The 100 guest rooms for the hotel will be located on floors 2 through 6. The six-story hotel will feature a modern exterior comprised of two-toned brick veneer and contrasting gray metal panels. As part of the E Wilson Street façade of the hotel, the applicants propose to incorporate the rebuilt historic front facades of 506 and 518 E Wilson.

The living street between the hotel and the apartment building will provide pedestrian and vehicular access, bike parking, and an outdoor eating area for the Up North Bar located in the Hotel Ruby Marie building. A drop-off zone for the hotel will be located on the north side of the building along the living street. Access to the living street will be provided from both S Blair Street and S Franklin Street, with two-way operation proposed between Blair and the entrance to the structured parking proposed on Lot 2, and one-way operation between Franklin and the garage entrance.

Lot 2 will be developed with the eight-story, 178-unit apartment building. Plans for the apartment building call for a primary lobby to be accessed from the S Blair Street sidewalk, with a secondary access from the living street. Eight one-bedroom apartments are proposed along the Blair Street façade of the first floor, with a tenant fitness room, dog washing station, indoor bike parking room and first level of structured parking comprising the rest of the floor. Two additional levels of parking will extend below the footprint of the eight-story building. The second floor of the building will include the uppermost level of parking, two more bike storage rooms, and eight one-bedroom apartments on the Blair Street façade. At the third floor, the building assumes a "U" shape with dwelling units located on both sides of a central hallway. Interior units will face a courtyard patio in the center of the "U"; a tenant amenity space will be located at the center of the third floor. Residential units will comprise the remaining floors save for a second tenant amenity space to be located at the southeasterly corner of the eighth floor.

A detailed breakdown of the number of units that make up the 178 units is not included, but the letter of intent indicates that the building will have 195 bedrooms in units ranging from "micro" units to two-bedroom units. Of the 178 units, the applicants propose for 39 of the units to be reserved for tenants earning 60 percent of the area median income (AMI). Those units are distinguished on the floorplans with cross-hatching and an "aff" label and include micro units, studios, one-bedroom, and two-bedroom units. The 39 affordable units are being provided in

exchange for the building providing more stories than would be allowed by the maximum story heights on the Downtown Height Map pursuant to provisions added to the Zoning Code in 2023 to incentivize the creation of affordable housing downtown. More discussion of this provision and the project's compliance will be provided in the 'Analysis' section of this report.

Parking for 221 automobiles will be provided in the apartment parking, which will include resident parking for 167 cars as well as 54 parking spaces for the hotel. Parking for the hotel will be by valet. The letter of intent indicates that the applicants are requesting an automobile parking reduction based on the number of units and hotel rooms and the corresponding number of spaces outlined in Section 28.141 of the Zoning Code. However, the project is located in the Central Area outlined in that section, where no automobile parking is required. The Central Area generally extends from Park Street to Blair Street and from lake to lake. Bike parking is required in the Central Area, and the project proposes between 241 and 256 bike parking spaces, which generally meets the 206 required by the Zoning Code.

The apartment building will be set back 7.5 feet from S Blair Street as shown on Sheet AS100 of the project plans. The building incorporates a 10-foot stepback along Blair at the third floor, with an additional stepback at the eighth floor. Additionally, the building will step back approximately 40 feet along the rear wall beginning at the fifth floor. The exterior of the building will primarily be clad with two-toned brick on the lower seven floors and metal panels at the eighth floor. The lower two floors of the S Blair Street façade have been designed to evoke the architecture of the historic commercial buildings located across Blair from the site.

## Analysis

This request is subject to the approval standards for demolition permits, zoning map amendments, conditional uses, and land divisions.

### Consistency with Adopted Plans

The 2012 [Downtown Plan](#) recommends the E Wilson Street frontage of the subject site for Downtown Core Mixed-Use and identifies the remainder of the site for predominantly residential uses. The Downtown Core area is identified 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." (Objective 4.1). The parking lot is identified on the Parcel Analysis map on page 25 as a site for potential redevelopment or infill development. The site is located in the First Settlement neighborhood/district in the plan, and most of the site is recommended for development with up to six stories, except the western edge, which is limited to three stories. The line dividing the three- and six-story height limits follows the rear lot line that extends north-south through the block, Block 115 of the Original (Prichette) Plat of Madison.

The 2023 [Comprehensive Plan](#) recommends the E Wilson Street frontage for Downtown Core (DC), with Medium Residential (MR) recommended for the portion of the remaining site to be developed up to six stories in height. The portion of the site recommended for development up to three stories is recommended for Low-Medium Residential (LMR).

Downtown Core (DC) represents the nucleus of downtown DC and accommodates a wide variety of employment, service, retail, government, residential, and other uses in large scale buildings that comprise the most intensely

developed part of the city. The Comprehensive Plan gives deference to the Downtown Plan on heights, uses, design, etc. in DC.

The Comprehensive Plan recommends that Medium Residential (MR) areas may include a variety of relatively intense housing types, including rowhouses and multi-family buildings of varying size. MR areas are generally located close to major streets, mixed-use areas, or commercial/employment areas to provide convenient, walkable access to transit, shopping, restaurants, and other amenities. MR areas should be interconnected with surrounding development as part of a complete neighborhood, and should be transit-oriented. The Plan recommends that design within MR areas where the use adjoins less intense residential development incorporate architectural features such as stepbacks to transition MR development to less intense surrounding development.

The Planning Division believes that the proposed development is consistent with the above recommendations. The redevelopment of the E Wilson Street frontage with a hotel is consistent with the type and intensity of uses recommended in the Downtown Core categories in both planning documents, while the eight-story apartment building reflects the goals and objectives for Medium Residential development in the downtown area. The request to rezone the site to UMX will aid in the implementation of the plan recommendations at least as effectively as the current PD zoning, which was granted under the 1966 Zoning Code when the types of mixed-use development contemplated in the 1994 plans were harder to achieve in conventional zoning.

#### Consideration of Demolition Permit Standards

In order to approve a demolition request, the Plan Commission shall consider the factors and information specified in Section 28.185(9)(c) and find 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 standards for demolition approval state that the Plan Commission shall consider 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.

On September 18, 2023, the Landmarks Commission reviewed the demolition of the five buildings and recommended the following to the Plan Commission:

- That the structure at 506 E Wilson Street has historic value as a contributing structure in the East Wilson Street National Register Historic District as an intact example of a rare remaining resource (early Italianate Commercial), and due to the cultural and historical significance to the LGBTQ community;
- That the structure at 510 E Wilson Street has no known historic value (though the Commission was divided on this matter, with the recommendation passing on a 3-2 vote);
- That the structures at 514 and 516 E Wilson Street have historic value as related to the vernacular context of Madison's built environment, but the buildings are not historically significant; and
- That the structure at 518 E Wilson Street has historic value as a contributing resource to the East Wilson National Register Historic District, although the building has had a loss of historic integrity.

The applicant indicates that all five of the buildings to be razed are functionally obsolete, and that the building at 518 E Wilson Street has "significant structural defects present." Staff believes that based on the information provided that the Plan Commission may find that the buildings can meet the standards for demolition approval. As a nod to the historical significance of 506 and 518 E Wilson Street to the East Wilson Street National Register Historic District, the applicants propose to deconstruct the front facades of those buildings and reconstruct them



as part of the exterior of the proposed hotel. Staff feels that this is an acceptable outcome that balances the historic value of those buildings with their potential functional obsolescence and structural integrity concerns.

In approving a demolition permit, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. The proposed conditions for this demolition may be found in the 'Recommendation' section of the report, which follows. In this case, staff believes that approval of the demolition permit may be conditioned on the deconstruction and preservation of the facades of 506 and 518 E Wilson Street for reuse as part of the façade of the proposed hotel as a means of acknowledging the importance the Landmarks Commission placed on contributing elements in the East Wilson National Register Historic District.

#### 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]."

The Planning Division believes that the Plan Commission may find that the conditional use standards are met for the proposed development. The uses, values and enjoyment of other property in the neighborhood for purposes already established should not be substantially impaired or diminished in any foreseeable manner by the project, nor should the establishment of the conditional uses impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Comments submitted by agencies do not suggest that the proposed development will negatively impact the City's ability to provide services to the project subject to meeting the recommended conditions of approval in the final section of this report. The Traffic Engineering Division has submitted no comments or conditions of approval that would suggest that the proposed access for the development cannot be approved subject to meeting the conditions of approval recommended in the final section of this report, noting that the applicant shall work with Traffic Engineering to finalize their Traffic Impact Analysis (TIA) prior to sign-off.

The proposed development was noticed as requiring a conditional use for outdoor recreation. However, during the final review of the project, Planning and Zoning staff determined that the outdoor amenities provided in the proposed apartment building do not constitute outdoor recreation (pools, hot tubs, sporting courts, etc.) but are rather passive seating spaces for residents.

#### Affordable Housing Height Exception

As noted in the project description, the applicant proposes to designate 39 of the 178 units in the eight-story apartment building as affordable to tenants making up to 60 percent of the area median income consistent with the provision added to the Zoning Code in 2023 to allow additional stories in excess of the heights identified on the Downtown Heights Map in Section 28.071(2) if 50 percent of the additional floor area is income-/rent-restricted for at least 30 years by a Land Use Restriction Agreement (LURA). The height of the building with additional stories may not exceed the height of the building in feet stipulated in Section 28.071(2).

In this case, the site is limited to six (6) stories and 88 feet according to the Downtown Height Map in Section 28.071(2)(a) of the Zoning Code, with the rest of the site mapped for up to three (3) stories and 46 feet of height. The applicant is proposing that the six-story area be developed with two additional stories while abiding by the 88-foot height limit, while one additional story is proposed at the rear of the building in the three-story area. The plans suggest that the building will comply with the height in feet specified in the Zoning Code. Following approval by the Plan Commission but prior to issuance of building permits for the new apartments, the Zoning Administrator shall confirm that proposed building heights comply with the Downtown Height Map and related provisions in Section 28.071(2) of the Zoning Code, and the applicant shall execute a Land Use Restriction Agreement (LURA) for the project that satisfies all of the requirements in MGO Section 28.071(2)(a)2. The form of the LURA shall be approved by the City Attorney, the LURA adopted by the Common Council, and the final document executed and recorded (or ready for recording by the City) with the Dane County Register of Deeds.

#### Review by the Landmarks Commission

In addition to its recommending authority for demolition permits, the Landmarks Commission is required to approve the land division to create the two development lots and to approve the proposed apartment building on S Blair Street, which is located in the First Settlement [Local] Historic District. The Landmarks Commission approved the land division at its April 15, 2024 meeting, and approved the plans for the apartment building on May 20, 2024. The reports of the Landmarks Commission actions regarding the project are attached to the conditional use legislative file, ID [81925](#).

Note: The Wilson Street portion of the property (proposed Lot 1) is located in the East Wilson Street National Register Historic District but is not located in a local historic district. Therefore, the hotel development was not reviewed by the Landmarks Commission.

#### Urban Design Commission Review

As the entire proposed development is in excess of four stories, the Urban Design Commission is an **advisory** body on the conditional uses for the project. Section 28.076(4)(c) states that: *“All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in [Sec. 28.071\(3\)](#) and the [Downtown Urban Design Guidelines](#) and shall report its findings to the Plan Commission.”*

The Urban Design Commission (UDC) review the proposed hotel and apartment building on May 29, 2024 made an advisory recommendation to the Plan Commission to grant initial approval. As part of its recommendation, the Commission included the following conditions:

- The application shall return for Final Approval.
- The UDC finds that the overall building design and composition, mass, scale and placement is appropriate, the treatment and design of HVAC louvers as proposed on the hotel building is adequate.
- Revise the landscape plan to reflect two different varieties of upright trees on the living street.
- Additional detailing and articulation shall be incorporated into the metal panel areas on the blank building end walls of the hotel building, including but not limited to horizontal articulation, more articulated panels, or artwork.

- Provide additional details related to the recreation of the existing historic facades to allow for flexibility in the reinterpretation/reapplication of certain architectural details of those facades versus recreating exactly what is existing today (i.e., the diamond window pane pattern or six-over-six windows vs. the brick detailing).
- Consideration should be given to the angle of the masonry wall on the west elevation, including as it wraps the corner and relates to the blank wall expanse.
- Provide additional details related to the proposed architectural lighting.
- With regard to the S Blair Street elevation and landscape shown along the base elevation, the landscape plan shall be revised to more accurately reflect the renderings.

Planning staff recommends that any approval of the project by the Plan Commission be conditioned upon the project complying with the above requirements, including returning to the Urban Design Commission for final approval prior to final approval of the plans and issuance of building permits. The draft report of the May 29 meeting is attached to the conditional use file for the project.

## Conclusion

The applicant proposes to demolish five buildings, divide most of the 1.53-acre site into two lots, and to develop the resulting lots with a six-story hotel on Lot 1 and an eight-story apartment building on Lot 2. The proposed apartment building proposes additional stories in excess of those allowed on the Downtown Heights Map in the Zoning Code in exchange for providing 39 units of the 178 total for tenants earning up to 60 percent AMI.

The Planning Division believes that the Plan Commission may find that the proposed development meets the various standards for approval. The proposed rezoning and resulting development will implement many of the recommendations for the site in the Comprehensive Plan and Downtown Plan, including the infilling of a large, underutilized surface parking lot with well-designed and appropriately dense multi-family housing. Likewise, the proposed hotel is well designed and should result in the intensity of development along E Wilson Street envisioned in adopted plans. The proposed hotel will also preserve and reuse the front facades of two contributing structures in the East Wilson Street National Register Historic District, which staff feels is integral in the proposed demolitions being approved.

## Recommendation

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

The Planning Division recommends the following to the Plan Commission:

- That the Plan Commission that the standards for demolition permits are met to **approve** demolition of five commercial buildings located at 506-518 E Wilson Street;
- That the Plan Commission forward Zoning Map Amendment ID 28.022–00669, rezoning 506-518 E Wilson Street and 134-148 S Blair Street from PD to UMX, to the Common Council with a recommendation of **approval**;
- That the Plan Commission find the standards for conditional uses are met to **approve** construction of a six-story, 100-room hotel and eight-story, 178-unit apartment building at 506-518 E Wilson Street and 134-

148 S Blair Street, subject to input at the public hearing and the conditions from reviewing agencies that follow; and

- That the Plan Commission forward the Certified Survey Map divide 506-518 E Wilson Street and 134 S Blair Street into two lots to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 24**.

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

**Planning Division** (Contact Tim Parks or Kevin Firchow, (608) 261-9632 or (608) 267-1150

1. Consistent with the Landmarks Commission’s finding of historic value as contributing structures in the East Wilson Street National Register Historic District, approval of the demolition permit is hereby conditioned on the deconstruction and preservation of the facades of 506 and 518 E Wilson Street for reuse as part of the E Wilson Street façade of the proposed hotel. [The reuse of the two historic facades is shown on the plans for the proposed hotel, and implementation of this condition will continue as part of the final approval of that conditional use.]
2. Revise Sheet A111H to show the proposed line between Lot 1 and the parcel(s) containing the Hotel Ruby Marie.
3. Prior to final approval of the plans for the eight-story apartment building, the plans shall be revised to provide height dimensions all sides of the building measured from the highest point of the site. All building heights shall comply with the Downtown Height Map and related provisions in Section 28.071(2) of the Zoning Code, as confirmed by the Zoning Administrator. Prior to final sign-off of this building and issuance of permits, the applicant shall execute a Land Use Restriction Agreement (LURA) for the project that satisfies all of the requirements in MGO Section 28.071(2)(a)2. The form of the LURA shall be approved by the City Attorney, the LURA adopted by the Common Council, and the final document executed and recorded (or ready for recording by the City) with the Dane County Register of Deeds prior to issuance of building permits for the apartment building.
4. Revise the plan materials and letter of intent prior to final approval and issuance of building permits to include a breakdown of the number of dwelling units by type in the apartment building and provide detailed floorplans for the units. The data table should include the lot area for the site; the gross square-footage of the buildings; the number of dwelling units by type; the total number of bedrooms in the apartment building; usable open space for the development; and the amount of structured and surface automobile and bicycle parking located on the subject site.
5. The plans for the planned multi-use site shall fully include all of the existing and proposed conditions for 522 E Wilson Street, which is an integral part of the conditional use approvals. Nothing in this approval shall constitute approval to use the reconstructed patio for the Up North Bar at the rear of 522 E Wilson Street/148 S Blair Street for outdoor eating area or for live entertainment. Approval for outdoor uses at 522 E Wilson Street/148 S Blair Street shall require separate approval by the Plan Commission, Alcohol License Review Committee, and/ or the Common Council separate from the implementation of the proposed hotel and residential development. Final approval of any shared parking and cross-access easements and agreements for the three buildings shall be granted consistent with Section 28.137(2) of the Zoning Code prior to issuance of permits for the overall development.

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

The Urban Design Commission recommended **initial approval** of the project on May 29, 2024 subject to the following condition(s), which shall be made part of the Plan Commission approval for this project:

6. The application shall return to the Urban Design Commission for Final Approval.
7. The Urban Design Commission finds that the overall building design and composition, mass, scale and placement is appropriate, the treatment and design of HVAC louvers as proposed on the hotel building is adequate.
8. Revise the landscape plan to reflect two different varieties of upright trees on the living street.
9. Additional detailing and articulation shall be incorporated into the metal panel areas on the blank building end walls of the hotel building, including but not limited to horizontal articulation, more articulated panels, or artwork.
10. Provide additional details related to the recreation of the existing historic facades to allow for flexibility in the reinterpretation/reapplication of certain architectural details of those facades versus recreating exactly what is existing today (i.e., the diamond window pane pattern or six-over-six windows vs. the brick detailing).
11. Consideration should be given to the angle of the masonry wall on the west elevation, including as it wraps the corner and relates to the blank wall expanse.
12. Provide additional details related to the proposed architectural lighting.
13. With regard to the S Blair Street elevation and landscape shown along the base elevation, the landscape plan shall be revised to more accurately reflect the renderings.

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

14. The utility plan included with the plan set does not accurately show the locations of the existing City sanitary sewer. There is a 10-inch diameter sanitary lateral stubbed to curb in front of 516 E Wilson Street. The 8-inch diameter sewer proposed being connected to in S Blair Street is abandoned. There are two (2) 8-inch lateral stubs on S Blair Street into the site. Obtain updated City Utility records to update utility plan sheet.
15. Enter into a City / Developer agreement for the required infrastructure improvements to serve the project. The agreement shall be executed prior to sign-off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
16. Construct sidewalk, terrace, curb and gutter, and pavement to a plan approved by the City Engineer.
17. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

18. Provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
19. Obtain a permanent sewer plug permit for each existing sanitary or storm 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.
20. Obtain a permit to plug each existing storm sewer.
21. This project appears to require permanent dewatering. A permit to connect to the public stormwater system shall be required from the City Engineering Division. Additionally, a permit for non-storm discharge to the storm sewer system from the Madison-Dane County Public Health shall also be required. If contaminated soil or groundwater conditions exist on or adjacent to this project, additional Wisconsin Department of Natural Resources (WDNR), Public Health, and/or City Engineering approvals may be required prior to issuance of the connection and non-storm discharge permits.
22. An Erosion Control Permit is required for this project.
23. A Storm Water Management Report and Storm Water Management Permit is required for this project.
24. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS), and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
25. 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.
26. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used.
27. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer.
28. Revise plan to show the location of all rain gutter down spout discharge locations. Downspouts shall be directed to drain to public right of way.
29. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-year design storm that is current in MGO Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system, provide calculations stamped by a Wisconsin P.E. that show inlet and

pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system, provide pump sizing calculations stamped by a Wisconsin P.E. or licensed plumber that show this requirement has been met.

30. This project will disturb 20,000 square feet 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.
31. 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.
32. 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, MDCPH, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
33. 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.
34. Prior to approval, this project shall comply with Chapter 37 of 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 Storm Water Management Plan & Report shall include compliance with the following:
  - Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
  - 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.
  - 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 half inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first half inch of rainfall, either green or non-green infrastructure may be used.
  - 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 best management practices (BMP) used to meet stormwater management requirements on this project.

35. 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 [troester@cityofmadison.com](mailto:troester@cityofmadison.com) (West).

**City Engineering Division – Mapping Section** (Contact Julius Smith, (608) 264-9276)

36. Grant a Public Sidewalk Easement along Blair Street to the City on the concurrent Certified Survey Map.
37. The site plan indicates plaza space and the remaining existing building facia encroaching into the E Wilson Street right of way. The applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way. The applicant shall make an application with City of Madison Office of Real Estate Services for a Privilege In Streets Agreement. The Existing agreement shall be amended or released and replaced to be updated for the revised boundary information, facia shown encroaching on the CSM. the entire below grade, at grade, air space needs for the existing facia shall be re-determined based on the CSM boundary being set forth.
38. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
39. Owner/developer/contractor are responsible to coordinate with the adjacent owners for any work that may affect the adjacent buildings and their common walls and shall obtain any agreements or permissions necessary for construction.
40. Explain what is happening with the existing private connection between the Germania Condo Storm Sewer. It appears to be removed in this plan. There may be unrecorded rights present that need to be maintained. Owner/developer/contractor are responsible to coordinate with the Condominium on the disconnection and possible reroute of this line.
41. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, 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.
42. Submit a site plan and a complete set of building Floor Plans (for each individual building) 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 an interior and building addressing plan for the proposed multi-building complex. Each building page should include a key locator and north arrow. Also, include a unit matrix for the 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 be 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 Division** (Contact Sean Malloy, (608) 266-5987)

43. Items in the right-of-way are not approvable through the site plan approval process, work with City Real Estate to start the 'Privilege in Streets' process to obtain approval for any items in the Right of Way. Make a note on all pages showing improvements in the right of way that states: "The Right-of-Way is the sole jurisdiction of the City of Madison and is subject to change at any time per the recommendation/plan of Traffic Engineering and City Engineering Divisions."
44. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit. Applicant shall work with Traffic Engineering on determining an appropriate width for a one-way operational driveway.
45. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of Blair Street.
46. The applicant shall submit for review a waste removal plan, which shall include vehicular turning movements.
47. 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.
48. The applicant shall submit for review a valet operations plan, which shall include vehicular turning movements.
49. 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.
50. 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.
51. 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.
52. All parking facility design shall conform to MGO Section 10.08(6).
53. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

54. Per MGO Section 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.
55. The applicant shall adhere to all vision triangle requirements as set in MGO Section 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 Section 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.
56. 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, ((608) 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.
57. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheelchair 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.
58. "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.
59. 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.
60. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
61. The applicant shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
62. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on Blair Street will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review prior to final signoff.

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

63. The applicant is proposing that the residential building will exceed the maximum number of stories under the provisions of Section 28.071(2)(a). Buildings with a voluntary contractual Land Use Restriction Agreement with the City of Madison to provide affordable dwelling units may exceed the maximum number of stories, provided the building remains at or below the maximum height in feet in Table 28E-3 and comply with the requirement of Section 28.071(2)(a).
64. Required loading facilities shall comply with MGO Section 28.141(13). Provide two 10- by 50-foot loading areas with 14 feet vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.
65. 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 (266-4682). Section 28.185(10) requires that every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 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.
66. Show the building setback distances for the hotel and residential buildings as measured from the buildings to the property lines.
67. Provide a dwelling unit summary for the residential building with the numbers and types of dwelling units (number of bedrooms).
68. Bicycle parking for the residential dwelling units shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 178 resident bicycle stalls are required plus a minimum of 18 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
69. Bicycle parking for the hotel shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 10 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
70. 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.
71. Submit detailed floor plans and roof plans for both buildings.
72. Submit the courtyard elevations for the residential building.

73. Per Section 28.071(3)(d)2., for ground-story residential uses, landscaping, steps, porches, grade changes, and low ornamental fences or walls or similar treatments shall be located between the sidewalk and the front door to create a private yard area.
74. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of greater than or equal to fifty percent (50%) glass, at least eighty-five percent (85%) of the glass must be treated. All glass within fifteen (15) feet of a building corner must be treated when see through or fly through conditions exist. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
75. Provide details showing that the building façades meet the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story non-residential uses, the ground story door and window openings shall comprise a minimum of fifty percent (50%) of the facade area. For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the façade area. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story.
76. 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.
77. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and Section 33.24 Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

78. Verify egress requirements of IFC Chapter 10 are met for Lower Level 2, Third Floor Outdoor Patio.
79. Provide a completed MFD “Fire Apparatus Access and Fire Hydrant Worksheet” with the site plan submittal showing fire access lanes and aerial access lanes meeting the requirements of IFC 503 2021 edition and MGO Section 34.503.

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

80. 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 East Park-Infrastructure Impact Fee district. Please reference ID# 24008 when contacting Parks Division staff about this project.

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

81. 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.
82. 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.
83. City Forestry will issue a street tree removal permit for three trees: 9", 12", and 17" diameter Honeylocust trees due to construction conflict along S Blair Street terrace. 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.
84. The 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.
85. 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. Add as a note on the site, grading, utility, demolition and street tree plan sets.
86. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* 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.
87. 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.
88. 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.

89. The developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist 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.
90. 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.
91. 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*. 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."
92. On this project, the installation of a pavement support system (Silva Cell<sup>®</sup>, GreenBlue<sup>®</sup> or equivalent as approved by city) surrounding tree grate locations is required where the terrace is concrete. 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 before support system installation. Add as a note on both the site and street tree plan set.
93. 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.
94. Tree grates are the property of the City of Madison. The Contractor shall contact City Forestry at (608) 266-4816 to schedule delivery of salvaged tree grates to City Forestry facility. Add as a note on the demolition and street tree plan set.

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

95. This property is in a Wellhead Protection District–Zone (WP-17). Applicant shall provide the Madison Water Utility with confirmation that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Sarah Scroggins at [Sscroggins@madisonwater.org](mailto:Sscroggins@madisonwater.org) for additional information, including a summary of the submittal requirements.

96. Private wells may have served the parcels associated with this project prior to municipal water service connections. The existing properties will require an internal and external survey for potential unabandoned private wells prior to proceeding with demolition. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266- 4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

97. 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 Avenue. 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 and 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 Tim Sobota, (608) 261-4289)

98. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the north side of E Wilson Street, west of S Blair Street (#1150).

99. The existing curbside bus stop zone and accessible pedestrian sidewalk and terrace area on the north side of East Wilson Street, west of South Blair Street, provide critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zone in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff - in order to create an alternate bus stop zone that would serve the East Wilson Street at South Blair Street intersection area in a comparable operational and accessible manner.

100. The applicant shall install and maintain a new passenger waiting shelter with seating amenity - either as part of the private landscape plan or in the public right-of-way area - serving the curbside bus stop zone on the north side of East Wilson Street, west of South Blair Street. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. 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.

**Parking Division** (Contact Trent W. Schultz, (608) 246-5806)

101. 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 Section 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

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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. The agreement shall be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact the City Engineering Division to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct sidewalk, terrace, curb and gutter, and pavement to a plan approved by the 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.
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).
5. Based on WDNR BRRS record #03-13-002309 ESSEN HAUS, the property contains residual contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.

**City Engineering Division – Mapping Section** (Contact Julius Smith, (608) 264-9276)

6. Grant a Public Sidewalk Easement along Blair Street Right-of-Way to the City on the face of this Certified Survey Map. The final width of the easement shall be approved by Engineering and Traffic Engineering. Contact Jule Smith ([jsmith4@cityofmadison.com](mailto:jsmith4@cityofmadison.com)) for the final language to be included on the face of the map.
7. The Site Plan indicates plaza space and the remaining existing building facia encroaching into the E. Wilson Street right of way. The Applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Make an application with City of Madison Real Estate for a privilege in streets agreement. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way. There is an existing encroachment agreement Document No. 1818980 that shall be amended to reflect the additional facia encroachments as shown at ground level on the CSM.
8. Coordinate and request from the utility companies serving this area the easements required to serve this development. Those easements shall be properly shown, dimensioned and labeled on the final plat.



9. Provide for review, comprehensive reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the CSM recording and prior to building permit issuance.
10. There is an existing storm line from Germainia Condominium and numerous other shared elements Shared drive, access parking, utility crossing and etc. being shown on the proposed development with the Hotel Ruby Marie property.
11. 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 Jule Smith (jsmith4@cityofmadison.com).
12. 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 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 for current tie sheets and control data that has been provided by the City of Madison.
13. 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 Jule Smith (jsmith4@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.
14. Verify the 66-foot right-of-way of S Blair Street. Of particular note the 3/4" rebar shown found at the corner of Main and Blair on CSM 13027 should be compared to the long standing existing building located at the opposite Southeast corner on the MGE parcel in CSM 14931. This building corner has been noted as the corner of Blair and Main in Prior surveys. See survey 2018-01239 on file at Dane county land records for further details.
15. Per 236.20(2)(h) show the Centerline of all streets.
16. Per 236.34(1m)(c)... the location of the land by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted.
17. Add the Document No. 109 for the Pritchette Plat, the Capital of Wisconsin to both the header caption and the legal description.
18. Per A-E 7.05(11) List the Datum and Adjustment use for the Wisconsin County Coordinate System. I.E. NAD 83 (91),(97) or (2011).
19. Show/detail and set a witness/offset corner in front of the existing hotel on Lot 2 where no corner is being set.

20. Due to the large overlap in the neighboring existing structure on lot 10 further detail the proration and/or junior/senior rights breakdown of the parcels that results in the development retaining all of the 1.50 ft excess in the block length. Show the "Recorded As" bearings and/or distances as required per the Pritchette plat.
21. Per Wis. Stats. 236.20(2)(c) Where the exterior boundary lines show bearings or lengths that vary from those recorded in abutting plats or certified surveys there shall be the following note placed along the lines, "recorded as (show recorded bearing or length or both)."
22. 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 or early start permit.
23. Show the Southerly Right-of-Way of E Wilson Street along Block 271.
24. The applicant shall submit to Julius Smit prior to final Engineering sign-off of the subject CSM, 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 shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

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

25. The developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
26. The applicant shall dedicate right of way or grant a public sidewalk easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance, where applicable, along their site's frontage of S Blair Street.

**Office of Real Estate Services** (Jenny Frese, (608) 267-8719)

27. Prior to approval sign-off by the Office of Real Estate Services ("ORES"), the Owner's Certificate 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). The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report. 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.
28. A certificate of consent for all mortgagees/vendors shall be included following the Owner's Certificate and executed prior to CSM approval sign-off. If the CSM is signed electronically, a PDF of the CSM containing electronic signatures shall be provided to ORES to obtain approval sign-off.

29. 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.
30. 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. Stat. Sec. 236.34 and Sec. 236.21(2)(a).
31. 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.
32. Any real estate taxes and special assessments shall be paid in full prior to CSM approval sign-off pursuant to Madison General Ordinance Section 16.23(4)(f).
33. The owner shall furnish an updated title report to Heidi Radlinger in City's Office of Real Estate Services as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title 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.

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

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

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

34. Provide for cross access agreements if fire lanes transverse across multiple lots.

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

35. The following information shall be noted on the CSM prior to final approval: The properties are located within Wellhead Protection District—Zone (WP-17). Uses of the properties are required to comply with the City of Madison Wellhead Protection requirements as provided under MGO Sections 13.22 and 28.102.

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

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.

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

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