



PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION

**Project Address:** 149 E. Wilson Street  
**Application Type:** Zoning Map Amendment, Demolition Permit and Conditional Use  
**Legistar File ID #** [32265](#) and [32124](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Steve Cover, Dept. of Planning and Community and Economic Development Director,  
Katherine Cornwell, Planning Division Director, and Michael Waidelich, Principal Planner

## Summary

**Applicant:** Lance McGrath, McGrath Property Group; 222 S. Bedford Street, Suite A; Madison.

**Property Owner:** McShane/ KP Marina 149, LLC; 9550 W. Higgins Road, Suite 200; Rosemont, Illinois.

**Requested Action:** Approval of a request to rezone 149 E. Wilson Street from UMX (Urban Mixed-Use District) to DC (Downtown Core District) and approval of a demolition permit and conditional use to allow demolition of an office building and construction of a mixed-use building containing approximately 8,850 square feet of first floor retail space and 127 apartments.

**Proposal Summary:** The applicant wishes to demolish the existing three-story former Wisconsin Department of Corrections building to allow construction of a fourteen-story mixed-use building that includes 8,850 square feet of first floor commercial space, 127 apartments located on the upper floors and three levels of parking for 127 automobiles and 110 bicycles below the building. The applicant wishes to begin demolition and construction of the new building in February 2014, with completion anticipated by June 1, 2015.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. Section 28.074(4)c of the Zoning Code states that any new building or additions over 20,000 square feet or that have more than 4 stories in the DC zoning district require approval of a conditional use. Section 28.134(3) states that no portion of any building or structure located within one mile of the center of the State Capitol Building shall exceed the elevation of the base of the columns of the Capitol Building or 187.2 feet, City datum, except that church spires, flagpoles, communication towers, elevator penthouses, screened air conditioning equipment on existing buildings and chimneys exceeding such elevation may be approved as a conditional use. 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.

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

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00091, rezoning 149 E. Wilson Street from UMX to DC, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional use to allow an office building to be demolished and a mixed-use building to be constructed, all subject to input at the public hearing and the conditions from reviewing agencies beginning on page 18 of this report.

## Background Information

**Parcel Location:** The subject site is an approximately 0.37-acre (15,916 square-foot) parcel located on the southerly side of E. Wilson Street opposite its intersection with S. Butler and King streets; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is developed with the three-story, approximately 41,000 gross square-foot former Wisconsin Department of Corrections office building, which includes an exposed lower level that faces John Nolen Drive and Lake Monona. The building was originally constructed in 1916 and is noteworthy for its beige-painted synthetic stucco exterior. The site is currently zoned UMX (Urban Mixed-Use District).

### Surrounding Land Use and Zoning:

**North:** Haus Building, State of Wisconsin GEF office complex, zoned DC (Downtown Core District); Madison Mark Apartments, zoned PD (Planned Development District);

**South:** Union Pacific Railroad, John Nolen Drive, Law Park, zoned DC;

**East:** Union Transfer Condominiums, zoned PD; Summit Credit Union, Rubin's Furniture, zoned UMX (Urban Mixed-Use District);

**West:** Marina Condominiums, zoned PD; Lake Terrace offices and State of Wisconsin Investment Board, zoned UMX.

**Adopted Land Use Plans:** The subject site and surrounding properties are identified in the Downtown Core mixed-use sub-district of the 2006 Comprehensive Plan. Development in this sub-district is recommended to include mixed-use buildings containing a mix of office, service, dining, entertainment, etc. uses on the lower floors and residential uses on upper floors as well as government, cultural and institutional uses, lodging and structured parking. The Downtown Core is the most intensively developed Downtown sub-district, with a predominance of multiple-story, mixed-use buildings. The Downtown Core includes high-quality urban building designs and urban design amenities that foster pedestrian and transit activity and create an attractive, vibrant, unique destination. One of the key recommendations in the Comprehensive Plan is the adoption of a more detailed plan for the Downtown.

The 2012 Downtown Plan includes the subject site and nearby properties generally located between S. Butler and S. Henry streets in the Downtown Core Neighborhood/ District and recommends that the subject site and nearby properties be developed with Downtown Core Mixed-Uses. The plan identifies the Downtown Core Neighborhood/ District as "the center of Downtown, and should generally possess the highest intensity of development. A mix of office, employment, retail, government, residential, cultural, entertainment, and other uses should be pursued to retain the area's vibrancy, including beyond normal business hours." (Objective 4.1). The south side of Wilson Street from S. Butler to approximately S. Henry streets is recommended for development up to the Capitol View Preservation Limit, with the same height limit on the north side of the street from King to S. Carroll streets. The Parcel Analysis in the Plan also identifies the subject site as underutilized site with an obsolete building.

**Zoning Summary:** The property will be zoned DC (Downtown Core District):

Requirements	Required	Proposed
Minimum/ Maximum Front Yard	0'	Adequate
Side Yards	0'	Adequate
Rear Yard	0'	0'
Usable Open Space	N/A in DC District	As shown on plans
Floor Area Ratio	N/A	---
Maximum Building Height	Capitol View Preservation limit (187.2)	Appears correct, to be shown on final plans
No. of Parking Stalls	0 (Central Area)	127
No. of Accessible Parking Stalls	To Be Determined	(See Zoning conditions)
Maximum Lot Coverage	N/A	---
No. Bike Parking Stalls	1-2br - 114, 3+br - 19 Guest - 13 = 146, plus commercial to be determined ( <b>Requires Reduction</b> )	102 underground, 8 surface = 110 **Storage lockers inside building do not count) (See Zoning conditions)
Building Form	Podium Building	Complies with requirements
<b>Other Critical Zoning Items</b>		
Yes:	Wellhead Protection (Zone A, WP-17), Urban Design (DC zoning), Utility Easements, Barrier Free	
No:	Floodplain, Landmarks, Waterfront Development	
<i>Prepared by: Matt Tucker, Zoning Administrator</i>		

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor (Map E8).

**Public Utilities and Services:** The site is served by a full range of urban services, including seven-day Metro Transit service.

## Project Description

The applicant is seeking approval of a demolition permit and conditional use to allow the existing three-story, approximately 41,000 gross square-foot former Wisconsin Department of Corrections office building at 149 E. Wilson Street to be razed to accommodate construction of a fourteen-story mixed-use building that includes 8,850 square feet of first floor commercial space and 127 studio and one- to four-bedroom apartments located on the upper floors. The project includes three levels of parking for 127 automobiles and 110 bicycles primarily below the building, which will be accessed from an 18-foot wide driveway located along the western edge of the property. The footprint of the proposed development will occupy the entire site and will not provide the 10-foot rear yard setback required in the existing UMX (Urban Mixed-Use) zoning, thereby necessitating the request to rezone the 0.37-acre property to the DC (Downtown Core) zoning district, which contains no required rear yard.

This existing building was designed by James R. Law and was originally constructed in 1916 as the Overland Madison Co. Commercial Building. Overland Madison sold and serviced automobiles and was called "one of the finest and most complete garages in Wisconsin" according to information provided to the Landmarks Commission by the City's Preservation Planner, Amy Scanlon. Autos were displayed on the first floor, with offices in the rear, a stockroom on the second floor, and private storage garage in the basement. The building was later renovated into offices, with the current exterior applied in 1978. The Landmarks Commission informally reviewed the demolition of the building on October 14, 2013 and recommended that the building has

no continuing visible architectural integrity. Photographs of the original building will be forwarded to the Plan Commission by the Landmarks Commission to provide a better understanding of its historical appearance.

The proposed building will be situated along the easterly property line adjacent to the existing eight-story, 27-unit Union Transfer Condominiums. The project preserves an existing 18-foot wide fire lane easement on the subject site for the fourteen-story, 55-unit Marina Condominiums, which abut the subject site on the west. The new building proposes to use the 18-foot wide easement as the access for its under-building parking, which will enter the building at the southwesterly corner of the structure and ramp down three levels (see Sheets A100 and A101 for details). The parking will be located completely below the building as viewed from E. Wilson Street but will be exposed along the southerly elevation facing John Nolen Drive due to the approximately 25 feet of grade change present from north to south across the site and adjacent properties.

The first finished floor at E. Wilson Street will include an entry into the 8,850 square feet of commercial space, the main lobby for the residences located above, and a trash room for the development. With the exception of one of the building's stair towers, the first floor spaces will be recessed from the E. Wilson Street sidewalk, with plazas provided in front of the commercial space and residential lobby. A short planter wall is proposed in front of the commercial space to terrace the grade change present west to east across the street frontage of the site. Elevations of the first floor facing E. Wilson Street will include a high degree of glazing.

The exterior of the proposed building will be comprised primarily of "clear" anodized aluminum panels accented with black anodized aluminum panel insets, green anodized aluminum accent panels, and prominent sections of "cream city" brick. The exposed parking garage wall facing John Nolen Drive will be clad in gray-tinted burnished block accented with clear anodized aluminum panels and windows distributed randomly across the three-story façade to provide visual interest facing the drive and Lake Monona. A cable-framed terrace is shown extending along most of the southerly elevation off of the first floor commercial space overlooking the lake and drive.

## Analysis

The proposed mixed-use development requires the following City land use approvals in order to proceed:

- Rezoning of the site from UMX to DC;
- Approval of a demolition permit for the vacant former office building;
- Approval of a conditional use to allow construction of a new building over 20,000 square feet or that has more than 4 stories in the DC zoning district (the same conditional use would be required in the existing UMX zoning); and
- Approval of a conditional use to allow the proposed building's elevator penthouse and stair tower to exceed 187.2 feet, City datum.

Construction of the proposed building will also require approval of private easements or agreements from the Union Pacific Railroad/ State of Wisconsin Department of Transportation and adjacent condominium(s) outside the City land use approval process.

### Rezoning to DC-Downtown Core

All zoning map 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.

“Consistent with” was clarified by 2010 Wisconsin Act 372 as “furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan.”

In reviewing the proposed rezoning of the site to the DC-Downtown Core district, the Planning Division believes that the Plan Commission can find the proposed mixed-use development to be largely consistent with the recommendations for the Downtown Core districts in both the Comprehensive Plan and Downtown Plan. In particular, staff believes that the proposed development is consistent with the general recommendations for the Downtown Core Neighborhood/ District of the Downtown Plan, which is recognized as “the center of Downtown, and should generally possess the highest intensity of development” with “[a] mix of office, employment, retail, government, residential, cultural, entertainment, and other uses [to] be pursued to retain the area’s vibrancy, including beyond normal business hours.” (Objective 4.1) Both the existing and proposed zoning of the site and mix of uses in the project are consistent with the mixed-use recommendations for the Downtown Core, and the proposed height of the building is consistent with the recommendation that the south side of Wilson Street from S. Butler to approximately S. Henry streets and the north side of Wilson from King to S. Carroll streets be developed up to the Capitol View Preservation Limit. The Parcel Analysis in the Downtown Plan also identifies the subject site as underutilized site and/ or obsolete building with potential for redevelopment/ infill, and redevelopment of the site is generally consistent with Objective 2.4 of the Plan. The plans for the site are also consistent with Recommendation 62 of the Downtown Plan, which encourages non-residential uses on the ground floor of certain specified street frontages, including E. Wilson Street.

The proposed rezoning and development proposal will also not preclude the future improvement of Law Park east of Monona Terrace, which is generally envisioned in the Downtown Plan to be transformed into a signature City park and public gathering space following a master plan process recommended to be completed in conjunction with the future redesign of the John Nolen Drive/ S. Blair Street/ Williamson Street intersection. (Recommendation 1)

#### Demolition of the Existing Building and Conditional Use for Mixed-Use Building

In order for the demolition of the existing buildings to be approved, the Plan Commission is required to find that both the requested demolitions and the proposed use are compatible with the purpose of Section 28.185 of the Zoning Code and the intent and purpose for the zoning district in which the property is located. The proposed use of the property following the demolitions should also be consistent with the Comprehensive Plan and any adopted neighborhood plans, in this case the Downtown Plan. When making its decision, the Commission may consider and give decisive weight to any relevant facts including but not limited to the effects the demolition and proposed use of the subject property following demolition would have on the normal and orderly development and improvement of surrounding properties, the reasonableness of efforts to relocate the building(s), including the costs of relocation and the structural soundness of the building(s), and the limits that the location of the building(s) would place on relocation efforts.

Similarly, 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 following conditions are present.”

The demolition standards recommend that a proposed reuse of a property following demolition be compatible with the statement of purpose of the zoning district of the subject property, or the proposed DC-Downtown Core district in this case. In addition, conditional use standard #9 requires the Plan Commission to “bear in mind the statement of purpose for the zoning district” when reviewing any new construction of a building or an addition to an existing building. The statement of purpose for the DC district states that the district “...is established to recognize the Capitol Square, the State Street corridor, and surrounding properties as the center of governmental, office, educational, cultural, specialty retail and recreational activities for the City and the region. Residential uses are appropriate in some locations or in combination with other uses. This district is intended to allow intensive development with high-quality architecture and urban design.”

Staff believes the Plan Commission can find that the demolition of the existing structure will contribute to the normal and orderly development of the City consistent with the plan guidance that the existing building is obsolete and underutilized. Relocation of the building is not feasible or desirable.

The Planning Division has analyzed the proposed development for its conformance with each of the conditional use standards that apply. [The standards that are not applicable to this request are so noted.]

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Based on the comments received from the reviewing City agencies, there is nothing to indicate that the proposed building would endanger the public health, safety or general welfare.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing those services.*

The comments and recommended conditions of approval received from reviewing departments and included in the last section of this report, including conditions from the City Engineering Division, Traffic Engineering Division, and Madison Fire Department, suggest nothing out of the ordinary in providing municipal services to this property as a result of the proposed building.

3. *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.*

This standard is often the most difficult standard for the Plan Commission to address in the process of reviewing conditional use applications. Information provided by residents or property owners in the neighborhood at the Plan Commission hearing usually provides additional information for the Plan Commission to use to determine whether this standard has been met or not. The proposed building has elicited a significant amount of correspondence from nearby residents, particularly of the adjacent Marina Condominiums, which has been provided for consideration as part of the approval of the project. Among the concerns expressed by nearby residents and property owners include the height and mass of the proposed mixed-use building, its impact on air, light, views and the values for existing residents of the Marina, and traffic, loading and parking impacts on E. Wilson Street that may be created by the project. The Plan Commission will need to weigh the application materials, the comments and conditions submitted by reviewing agencies, the various recommendations of adopted City plans such as the Comprehensive Plan and Downtown Plan, and the public input it receives in order to determine whether this standard is adequately addressed.

4. *The establishment of the conditional use will not impede the normal and orderly development and*

*improvement of the surrounding property for uses permitted in the district.*

Staff does not believe that construction of the new building will impede the normal and orderly development or improvement of surrounding properties. The proposed fourteen-story mixed-use building appears to be consistent with the development pattern recommended in the Comprehensive Plan and Downtown Plan (as otherwise discussed in this report) and should not preclude the development of other nearby properties in a manner consistent with those plan recommendations and the zoning of those properties, including the Downtown Height Map.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided; and*
6. *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.*

Planning and Traffic Engineering staff has closely reviewed the proposed development, and Planning staff believes that these two standards are met. A building of the scale and scope of the one proposed may generate an increase in the number of vehicle trips over the existing conditions, however, such an increase will not result in traffic congestion along E. Wilson Street or on other nearby streets disproportionate with the amount of traffic already present in this portion of the Downtown or from other potential reuses of the site generally recommended in adopted plans. Potential traffic impacts from the new building will be mitigated by the availability of other transport modes to serve future residents and retail patrons of the project, including seven-day Metro Transit throughout that system's service area. Growth of the Downtown Core consistent with adopted plans will lessen the reliance of area residents on personal automobiles to serve their daily needs.

The Traffic Engineering Division has submitted a series of operational conditions for the Plan Commission to consider in reviewing the proposed development, including the adequacy of the 18-foot along the westerly property line of the site to accommodate ingress and egress for the project's parking entrance and loading zone while maintaining the fire lane for the Marina Condominiums. Traffic Engineering staff is concerned that the potential over-programming of the access/ fire lane may result in moving vehicles and garbage trucks staging within the Butler-King-Wilson street intersection. Traffic staff has also submitted a series of conditions related to the construction of the building – if approved – to review and potentially mitigate the impacts on vehicular, bike and pedestrian movements through the area during construction.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that the proposed development generally complies with the various bulk requirements of the proposed DC district. Because the development is located in the Central Area as defined in the Zoning Code, there is no prescribed off-street parking requirement for this project. Further, because the development includes less than 10,000 square feet of non-residential floor area, no off-street loading space is required. However, the Zoning Administrator has submitted comments regarding the amount and location of bike parking being provided for the new building. The applicant is specifically requesting that a bike parking reduction being considered for the project as noted in the letter of intent for the project.

The project also appears to generally conform to the design standards in the Downtown zoning districts in

Section 28.071(3) of the Zoning Code, including the requirements for Parking (subsection a), Entrance Orientation (b), Façade Articulation (c), Story Heights and Treatment (d), Door and Window Openings (e), and Equipment and Service Area Screening (g).

The building material palette for the project also appears to conform to the provisions in subsection (f), which identifies brick and metal panels as acceptable materials on all portions of a building in the Downtown, though metal panels are required to be used in conjunction with a palette of materials and to be a heavy gauge, non-reflective metal.

Subsection (f) requires that buildings be constructed of durable, high-quality materials, and that all building facades visible from a public street or public walkway use materials and design features similar to or complementary to those of the front facade. The exterior of the proposed building will be comprised primarily of “clear” anodized aluminum panels accented with black anodized aluminum panel insets, lime green anodized aluminum accent panels, and prominent sections of “cream city” brick. The exposed parking garage wall facing John Nolen Drive will be clad in gray-tinted burnished block accented with clear anodized aluminum panels and windows distributed randomly across the three-story façade to provide visual interest facing the drive and Lake Monona. A cable-framed terrace is shown extending along most of the southerly elevation off of the first floor commercial space overlooking the lake and drive.

Staff is concerned that some elements of the proposed building do not meet this design standard, most notably the use of individual HVAC units for the individual tenant spaces (“wall packs”), which results in a series of utility penetrations in the exterior compared to the condition that could exist if the building had central or zonal heating and cooling. The Downtown and Urban Districts standards anticipate a quality of architectural design and construction that results in cohesive building exteriors with limited penetrations or disruptions. The use of the smaller individual HVAC units for the building instead of a centralized HVAC system with fewer or no wall penetrations and rooftop mechanical equipment screened from public view should be discussed by the Urban Design Commission and Plan Commission to determine if they feel this standard is met. The choice of building materials and colors should also be carefully considered to ensure that the proposed building makes a strong, enduring contribution to the City’s skyline.

Further discussion of the project’s conformance with the design review requirement in Section 28.074(4) for a new building with greater than 20,000 square feet or more than 4 stories using the Downtown Urban Design Guidelines will be provided in the following subsection of this report.

*[Standard 8 does not apply to this request.]*

9. *When applying the above standards to any new construction of a building or an addition to an existing building the Plan Commission:*
  - a. *Shall bear in mind the statement of purpose for the zoning district, and*
  - b. *May require the applicant to submit plans to the Urban Design Commission for comment and recommendation.*

The statement of purpose for the proposed DC district is provided earlier in this section, and as noted, is a key consideration in the review of any demolition permit and conditional use application. Planning staff believes that the Plan Commission can find that the subject demolition permit and conditional use application meets the statement of purpose of the requested DC district, which encourages intensive development with high-quality architecture and urban design. Staff also believes that the proposed development is consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and the Downtown Plan as



indicated earlier in this section of the staff report, and should result in a mixed-use building that enhances the viability and vitality of the E. Wilson Street corridor as well as the larger Downtown Core.

*[Standard 9b does not apply in this case, as UDC review of the project is already required by the existing UMX and proposed DC zoning of the property.]*

*[Standards 10 and 11 do not apply to this request.]*

12. *When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.*

Staff believes that the height of the occupied areas of the building conforms to the maximum height permitted for the subject site on the Downtown Height Map in Section 28.071(2)(a) of the Zoning Code, which is the Capitol View Preservation Limit, 187.2 feet City datum, though confirmation of the overall height of the building compared to City datum will be required as a condition of approval of the project. The building will stand 152 feet in height as measured from the grade of E. Wilson Street to the top of the parapet on the northerly façade. However, approximately 6 feet at the top of the elevator core and the attached stair tower will extend beyond the 187.2-foot limit, requiring Plan Commission approval of a conditional use to allow the penthouse to project into the Preservation Limit as allowed by the Zoning Code and Wisconsin Statute 16.842. Staff believes that the projection beyond the Preservation Limit has been designed to have the least possible visual impact on the City's skyline while allowing the required elevator overrun and the stair access to the roof preferred by the Fire Department. A similar conditional use for an elevator and stair penthouse was granted in 2003 for the adjacent Marina Condominiums. Architectural details, however, warrant greater scrutiny including the use of wall packs versus a higher quality centralized ventilation system, the presence of Juliet balconies, the use of color rather than greater architectural expression of the building form.

*[Standards 13-15 do not apply to this request.]*

#### Conformance with the Downtown Urban Design Guidelines

The Downtown Urban Design Guidelines were adopted by Resolution 12-00949 by the Common Council on December 11, 2012 to provide additional guidance on the desired design qualities of buildings within the Downtown Core and Urban Mixed-Use zoning districts. They complement the design standards found in the Zoning Code, including those associated with the allowable building forms. Where the design standards in the Zoning Code are requirements and must be met, these guidelines are expectations that must be addressed but may be achieved in numerous ways. The design guidelines were developed to ensure that new buildings, and additions and alterations to existing buildings are compatible on a city, neighborhood, and block level, have an engaging pedestrian orientation, and are designed to reflect the use of the structure.

The guidelines that follow are a checklist of the primary elements to be evaluated by City staff, the Urban Design Commission, and the Plan Commission when reviewing development proposals. In applying these guidelines, the Downtown Plan is incorporated by reference and may be utilized to provide additional guidance. Below, Planning staff has analyzed the proposed development's conformance with each of the following guidelines (in *italics*; staff comments preceded by →). The project team has provided an analysis of their adherence to the guidelines in the letter of intent submitted with the plans.

*A. Site Design and Building Placement*

*1) Orientation: Buildings create and spatially define the public space (streets and sidewalks), and how a building faces this public way is a primary factor in what it contributes to the urban character of an area by reinforcing a consistent street wall and enhancing the pedestrian realm.*

- a. Any building façade adjacent to a street should address the street and reinforce the density of the urban block form created by the boundaries of the property line and adjacent built forms built to the property line of the street. → Staff believes that the project meets this guideline. The building will occupy the full frontage of the site along E. Wilson Street with the exception of the fire lane easement, which will also provide access to the building's fully structured parking. The building provides modest recessed plazas between the sidewalk and commercial and residential lobby facades to provide opportunities for activity from those spaces to engage the street. The first floor commercial space should help activate the south side of E. Wilson Street, which includes a number of buildings nearby that do not engage the street. The first finished floor at E. Wilson Street will include an entry into the 8,850 square feet of commercial space, the main lobby for the residences located above, and a trash room for the development. With the exception of one of the building's stair towers, the first floor spaces will be recessed from the E. Wilson Street sidewalk, with plazas provided in front of the commercial space and residential lobby. A short planter wall is proposed in front of the commercial space to terrace the grade change present west to east across the street frontage of the site. Elevations of the first floor facing E. Wilson Street will include a high degree of glazing.*
- b. Buildings should be sited so that portions of the building designed for service uses, such as loading docks and dumpster enclosures, are not part of the street façade. When a lot configuration requires such activities from a street, these components should be architecturally integrated into the design of the façade. → Staff believes that this guideline is generally met. A trash room for the building is located along the front façade, which appears to be clad in a different exterior material than the commercial and residential lobby spaces nearby. If possible, this service room should be relocated into the parking structure for the building. If this is not possible, this room should be as transparent as possible so as not to deaden that important façade, though the Zoning Code does allow use of spandrel for service areas. However, use of translucent materials should be considered if transparent materials are not possible.*
- c. The street level of a building should be designed with active uses and architecture that engages the street/sidewalk in a contextually appropriate manner, and integrates the building architecture and the landscape architecture. → Staff believes that the project meets this guideline (see a. above).*
- d. Buildings should be oriented to preserve and enhance the views identified on the Views and Vistas Map in the Downtown Plan. → Staff believes that the project meets this guideline. The proposed building will not affect any of the view corridors identified in the Downtown Plan but will become part of the City's skyline as viewed across Lake Monona from various vantage points as illustrated in the image on the next page from the Downtown Plan.*



Photo: *Downtown Plan*; page 31

- e. *Buildings at the intersection of streets should have a strong corner presence.* → This guideline does not apply to this building, which is not a corner site.

2) *Access and Site Circulation: How people, bicycles, and motor vehicles access a site and circulate within it and around it can be a critical determinant in how it relates to its context. A primary goal is to maximize uninterrupted pedestrian access within a given block to enhance and maintain all areas of the Downtown as pedestrian friendly. Another goal is to minimize the visual presence of motor vehicle circulation, parking, and service functions, including minimizing the visual impact of parking structures and parking lots on the streetscape.*

- a. *Parking facilities beneath a building should not be considered a valid reason to establish an occupiable first floor more than 3 feet above the grade of the sidewalk along any adjacent street, nor to include long segments of blank wall on any side of a building.* → Staff believes that the project meets this guideline.
- b. *Driveways should be oriented 90 degrees to the street, and shared driveways are encouraged. Designs should provide clear vision of pedestrians on sidewalks crossing any driveway.* → Staff believes that this guideline is generally met. The Traffic Engineering Division is requesting that a 10-foot clear vision triangle be shown behind the right of way at the pedestrian sidewalk approaching E. Wilson Street on the final plans for the new building.
- c. *Porte-cochere type entries, drop offs, or circular drives should not be parallel to the street or within the right-of-way, nor should they be oriented to require more than one curb cut. Queuing space for motor vehicles should not impede pedestrian movement along any public sidewalk nor be designed in such a manner that it unnecessarily widens the driveway.* → Staff believes that the project meets this guideline.

3) *Usable Open Space – Residential Development: Residents living in this densely developed portion of the city enjoy a variety of conveniently located urban amenities and may not require the amount of on-site usable open space as other parts of the community. However, the provision of quality on-site useable open space is necessary to create a quality living environment.*

- a. *Project designs should provide attractive, safe and creatively designed yards, courtyards, plazas, sitting areas or other similar open spaces for building residents.* → Staff believes that this guideline is generally met. Open space for the proposed building is limited but includes modest plazas along the streets side of the first floor for patrons of the commercial space and residents, and a terrace is provided for the commercial space overlooking John Nolen Drive and Lake Monona.

- b. *All residents should have access to some form of open space, whether it is private (such as patios or balconies) or common open space (such as yards or roof decks). A suggested minimum size for a balcony is 4.5 feet by 8 feet.*
- c. *At some locations, side and rear yards sufficient to provide usable open space may be limited, and outdoor open space may not represent the most beneficial use of a limited site when the overall density of development is relatively high. Common recreational facilities and social activity spaces in the development may be considered toward meeting some of the need for usable open space. "Permeable" first floor spaces that provide an opportunity for indoor activities to extend to outdoor spaces are encouraged.*

→ The plans submitted for agency review include a combination of projecting and recessed balconies and French or Juliet balconies. The percentage of units being provided with these spaces is not indicated in the plans. The project does not include a common open space for residents of the apartments but does provide a second floor fitness room amenity for residents as well as some plaza space between the building and street adjacent to the residential lobby. In determining how guidelines 3b and 3c are applied, the Urban Design Commission and Plan Commission should consider the overall program of the mixed-use building, including the sufficiency of the common areas provided for residents, and give consideration to what a reasonable expectation for common area/ recreational spaces is for a project of this size.

*4) Landscaping: How a site is landscaped – particularly in a dense urban environment – can "soften" hard edges, make a site more inviting, and bring color and interest to a development. Well landscaped sites also create informal gathering spaces and enhance the adjoining public improvements.*

- a. *The design emphasis should be on creating an "urban" landscape, incorporating site amenities such as linear planting beds or seat walls, street furniture, public art, lighting, and landscape materials. These features should be architecturally compatible with the styles, materials and colors of the principal building on the lot and those in the immediate area. → Staff believes that the project meets this guideline.*
- b. *Context appropriate landscaping should be provided along the front façade. Appropriate landscaping will depend on factors such as the setbacks, shape, size, and orientation of the building. → Staff believes that the project meets this guideline.*
- c. *Plant species should be selected based on their compatibility with an urban environment. Planting environments should be designed to provide plants the greatest potential to grow to maturity in a healthy state, such as use of planting beds, structural soils to promote root growth, and considering salt tolerance. Ease of maintenance should also be considered. → Staff believes that the project meets this guideline and will defer to the Urban Design Commission on the appropriateness of the limited materials to be planted.*
- d. *Public art should be encouraged where it is an integral part of the design approach to these spaces. → Staff does not believe that this guideline applies in the case of the subject development.*
- e. *Outdoor seating areas and cafes on private property are encouraged provided they do not interfere with pedestrian flow and circulation along the sidewalk and from public ways to building entries or amenities,*

*such as bicycle racks and benches.* → This guideline can be met within the plaza between the front of the commercial space and planter adjacent to the sidewalk, which will prevent any future outdoor uses from spilling into the public way.

- f. *Canopy trees should be encouraged and planted to imply human-scale spaces and mitigate the urban heat island effect. Where canopy trees are used, site design should provide sufficiently sized tree pits or planting beds and appropriate planting medium to provide for healthy tree growth.* → No canopy trees are proposed on the subject site. Any trees adjacent to the new building may be installed in the terrace.

5) *Lighting: Appropriate site and building lighting can create interest and a safe and welcoming environment. Lighting can also reinforce architectural elements such as entries, structural bays, or shop windows. Excessively lighting a site or building can create glare and greatly detract from the ambiance of a street, while insufficiently lighting a site can result in dark spots and raise safety issues.*

- a. *Exterior lighting to accentuate the building architecture and landscaping should not be excessive in either amount or intensity.*
- b. *Building entrances and entryways and other walkways should be lit sufficiently to create inviting and safe building access.*
- c. *Building-mounted fixtures should be compatible with the building facades.*
- d. *Full cut-off fixtures should be used. Lighting should not spill into the sky, encroach on neighboring properties, nor cause excessive glare.*
- e. *The lighting on the top of a building should not compete with the view of the Capitol dome in views of the skyline.*

→ The Urban Design Commission should carefully review the photometric details and lighting plan on Sheet C600 to determine the project's adherence with the above guidelines.

## *B. Architecture*

1) *Massing: Building massing is an important determinant in the quality of the urban environment and in how "welcoming" a street is perceived. Important aspects to this specifically related to massing include the preservation of natural light, sunlight and ventilation to the street, as well as preventing the feeling that large buildings are looming over the street and creating a canyon effect. The mass of a building can also enhance the pedestrian experience by creating more human-scaled development.*

- a. *The proportions and relationships of the various architectural components of the building should consider the scale of other buildings in the vicinity. In areas where the Downtown Plan recommends significantly taller or larger buildings than currently exist, this guideline should consider the evolving context.* → As noted elsewhere in this section, the building proposes to occupy nearly all of the horizontal and vertical space available on the subject site. The scale of the proposed building responds to the existing context created by the adjacent Marina Condominiums and the Madison Mark apartments located across E. Wilson Street, and is also responsive to the height and massing recommendations for this portion of the Downtown Core in the Downtown Plan.

- b. *Larger buildings should solve any problems that their scale may create to ensure a pedestrian-friendly quality. Articulation of buildings in both plan and profile may help break up the mass of large buildings. Stepping back the upper floors from lower floors may be appropriate to minimize overall scale and minimize shadow effects.* → Staff believes that this guideline is generally met. The proposed building features a very active exterior program that creates a high degree of visual interest and articulation on all four facades, though the Urban Design Commission should carefully consider the presentation of the building in making its recommendations to the Plan Commission.
- c. *The mass of a building should not negatively impact views identified on the Views and Vistas Map in the Downtown Plan. Applicants may need to prepare viewshed studies for others to fully understand potential impacts.* → As noted previously, the building is not located in one of the view corridors identified in the Downtown Plan, though the building will stand prominently on the City's skyline as viewed from across Lake Monona.
- d. *Shadow studies may need to be prepared by the applicant for buildings that adjoin public open spaces, or streets and sidewalks with particularly heavy pedestrian volumes, to demonstrate that these important public spaces are not negatively impacted by excessive amounts and/or durations of shadows.* → The project team presented shadow studies at a neighborhood meeting in November that suggested that the proposed building would have shadow impacts similar to those created by the adjacent Marina Condominiums. That study will be presented to the UDC as part of its review of the project.

2) *Building Components: Most buildings are experienced from a variety of perspectives, which change as a person moves about the city. Correspondingly, how the top, middle, and base of a building are designed also influences these interactions, and all must work within a complete architectural form. The Downtown Plan places an emphasis on creating an interesting skyline that reflects the underlying topography, and the design of the top of a building influences the skyline. Likewise, the Plan places an emphasis on making great public spaces, streets, and engaging pedestrian environments, and the design of a building's lowest four floors define the public realm and are the primary contributor to a pedestrian's perception of a street.*

- a. *The lower levels of street facing facades should generally incorporate a higher level of visual interest and richer architectural detailing. One way to achieve this is to locate active use areas on lower level street side spaces within a building, which could be reflected in the exterior architecture of the corresponding facades.* → Staff believes that this guideline is generally met. The building includes substantial glazing on the first floor and active first floor spaces that should create a high degree of visual interest and activity along E. Wilson Street. The lower levels of the residential portion of the proposed building also include architectural elements intended to reinforce the street wall in a more meaningful fashion than the existing building and its flat, monotone street façade.
- b. *A positive visual termination at the top of the building should be an integral part of the design from both the distant view and the pedestrian perspective. A positive visual termination could include projections or relief from the building façade or visual interest in the building form as it meets the sky.* → This guideline will require careful review by the Urban Design Commission as it makes its recommendation on the new building to the Plan Commission to ensure that it makes the strongest and most enduring contribution to the City's skyline as possible. The project architecture features a series of material changes along the most visible facades of the building—the easterly, northerly and southerly elevations—in order to create visual interest at the top of the building, which include changes to both the materials and colors as the building reaches its top. Planning staff has expressed concerns to the applicant about the project's

ability to adhere to this guideline and to the objective to create the best possible enduring architectural statement with the new building.

- c. *Roof forms should be used to integrate rooftop equipment, telecommunications equipment, and other devices so as to express/conceal them as architectural elements. Large mechanical penthouses and elevator overrides should be fully integrated into the building architecture and be appropriately-scaled to serve as architectural features and avoid the appearance of being “plopped” on top.* → Staff believes that this guideline is generally met. The rooftop elevator and stair penthouse will be clad in brick that extends all the way from E. Wilson Street up, which creates a strong architectural statement for this feature. As noted earlier in this report, the penthouse requires conditional use approval due to its extending past the Capitol View Preservation Limit, so the UDC and Plan Commission should give careful consideration to the treatment of this building component in determining if this guideline and the conditional use standard are met.

*3) Visual Interest: As emphasized in the Downtown Plan, it is especially important to create a comfortably-scaled and thoughtfully detailed urban environment through the use of well-designed architectural forms and details. Well-designed buildings add visual interest and variety to the massing of a building, help define the public space, engage the street, create an interesting pedestrian environment, and help break up long, monotonous facades. Articulation also is a primary means of providing a human scale through change in plane, contrast and intricacy in form, color, and materials.*

- a. *Buildings should have an overall design composition with a secondary and tertiary composition within it. All sides should have a similar design composition and quality of materials that make a positive contribution to the built urban environment.* → As discussed in the Building Components subsection, the new building must make a strong, enduring contribution to the City’s architectural inventory and skyline. The proposed building is likely to stand in its as-built condition for decades to come and must be both a building of its time and timeless so as not to appear dated. Additions to the City’s skyline of the prominence that the subject development will have are rare and should not be considered lightly. It is of the utmost importance that the Urban Design Commission and Plan Commission feel strongly that the building approved for this site be of the highest quality both now and for future generations.
- b. *Franchise corporate/trademark building designs should be altered to fit the desired character of the district.* → This guideline does not apply to this project.
- c. *The design of buildings fronting on State Street should reflect the historic pattern and rhythm of storefront bays on the lower level. If the interior space is wider, each bay should be articulated and have the ability to create its own entrance. A combination of good physical features and varied activities should result in a livelier street.* → This guideline does not apply.
- d. *Balconies should not extend over the public right-of-way.* → Balconies for the building will not project beyond any of the property lines.

*4) Door and Window Openings: As emphasized in the Downtown Plan, it is especially important to create a comfortably-scaled and thoughtfully detailed streetscape and how the openings in building walls (windows, doors, etc.) are incorporated have an influence on the perception of a building’s mass and how it is experienced by pedestrians.*

- a. *The size and rhythm of windows and doors in a building should respect those established by existing buildings in the area where a clear pattern exists, and the residential and/or mixed-use nature of the building.* → Staff believes that the project meets this guideline.
- b. *Existing traditional buildings should not have window openings with different sash configurations, smaller windows, or materials inappropriate to the original design. Transom windows should remain transparent/translucent.* → This guideline does not apply, as the building is new and reflects a contemporary design.
- c. *Entrances, including doors, should be sized and articulated in proportion to the scale of the building and should be architecturally compatible with the style, materials, and details of the building as a whole. Entrance definition and articulation may be achieved through use of architectural elements such as: lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, and others, where appropriate.* → Staff believes that the project meets this guideline.

5) *Building Materials: The Downtown Core and Urban Mixed-Use Districts are generally the most dense and heavily used areas of the city, and buildings in these districts are exposed to a high level of use. An integrated palette of high quality, durable building materials can enrich the pedestrian environment through the use of scale, color, texture, and architectural details.*

- a. *A variety of complementary exterior building materials may be incorporated to provide visual interest to the building. The palette of materials should not be overly complex.* → As discussed throughout this section, the proposed building features a very active exterior program that creates a high degree of visual interest and articulation on all four facades. Staff recommends that the Urban Design Commission carefully consider the overall composition of the building in making its recommendations to the Plan Commission.
- b. *All sides of a structure should exhibit design continuity and be finished with high quality materials. Materials should be those typically found in urban settings.* → The project architects have composed a four-sided building designed to respond to its diverse context, and for the most part, the material palette for the project is of high quality. However, Planning staff has expressed concerns about the use of individual HVAC units for the individual tenant spaces, which results in a series of utility penetrations in the exterior compared to the condition that could exist if the building had central or zonal heating and cooling. In reviewing the project, the Urban Design Commission and Plan Commission should review the entire composition of the building to ensure that any such penetrations are fully integrated into the design of the exterior in order to find that this guideline is met.
- c. *If material changes are proposed, they should generally occur at inside corners or be delineated by a specific transitional detail such as a pronounced belt course or substantial reveal.* → The UDC should give careful consideration to the material changes proposed by the project team to determine if this guideline is met in a fashion similar to its consideration of other elements of the proposed building.

6) *Terminal Views and Highly-Visible Corners: The design of buildings occupying sites located at the end of a street, on a highly-visible corner, or in other prominent view sheds can serve as a focal point and the design of such structures should reflect the prominence of the site. Particular attention should be paid to views from these perspectives.*



- a. *Corner buildings should define the street intersection with distinctive architectural features such as tower elements, rounded walls, recessed entries or other design features.* → This guideline does not specifically apply to this interior site.
- b. *Buildings located at visual focal points should demonstrate a higher degree of architectural strength to emphasize their location.* → While not at a specific focal point such as a street corner or view corridor, the likely prominence of the proposed building on the City's skyline when viewed from various vantage points across Lake Monona invites a high degree of scrutiny as suggested throughout the analysis of the project against the Downtown Urban Design Guidelines. As noted elsewhere in this section, Planning staff has concerns about the architectural strength of the proposed building due to the presence of the wall pack HVAC units and the building materials palette.
- c. *New buildings on flatiron corners, as identified in the Downtown Plan, should include a design approach that reflects the acute angles of the site.* → This guideline does not apply.

7) *Awnings and Canopies: Awnings can add color and texture to a streetscape, provide shelter for pedestrians and protect storefront displays from sun exposure.*

- a. *Awnings should not be internally illuminated so that they glow and become beacons that attract attention to the establishment.*
- b. *Awnings and canopies should be compatible with building design in terms of the rhythm and design of the storefront bays, material, details, massing, and form.*
- c. *Awnings and canopies should not cover up architectural details.*

→ The above guidelines do not apply to this project.

8) *Signage: Signage is for the purpose of identifying a business in an attractive and functional manner rather than to serve as general advertising for a business. Well conceived signage can contribute positively to the character of a street or district. Too many signs and too much information on one sign can overwhelm a viewer and make a sign less effective, and too much signage on a building, block, or street can easily result in visual clutter. The guidelines below are in addition to the requirements of the Madison Sign Code.*

- a. *Signage should be integrated with and be compatible with the architectural scheme of a building.*
- b. *Messages should be simple-- only including the name, address, function (i.e. restaurant), and logo of the establishment.*

→ Signage information for the proposed building is limited at this point. Prior to installation of any signage for the project, the Urban Design Commission shall consider these guidelines in determining the appropriateness of the signage package for the new building.

Economic Development Division comments (by Aaron Olver, Director)

“Bringing additional residents downtown is a goal identified in both the downtown plan and by organizations such as the Business Improvement District. Increasing the density of residents downtown helps to support local retail businesses and facilitates the activation of streets at a pedestrian scale. Having a mix of residential options

is also important economically. This project will complement nearby condo buildings where owner-occupied housing is available and the Madison Mark, where a mix of units, including affordable housing units, is available. This project is also likely to have a positive impact on the success of businesses that could appear as components of the Judge Doyle Square project.”

## Conclusion

The Planning Division has carefully reviewed the application and public comments received to date and believes that the proposed zoning map amendment, demolition and new mixed-use building can generally meet the applicable standards, criteria and guidelines for approval. The proposed development is consistent with the myriad recommendations for the subject site and surrounding properties in the Comprehensive Plan and Downtown Plan, and staff feels that the new development will add positively to the Downtown Core, which has experienced a considerable renaissance over the last 20 years. While the Plan Commission is likely to receive input from many nearby property owners and residents about the possible impacts the proposed building will have on the uses, values and enjoyment of their properties, such concerns should be considered within the context of the community’s vision for desirable and sustainable growth expressed in adopted City plans. The proposed development is consistent with these plans and promotes continued reinvestment in the Downtown in a fashion similar to the development pattern created by other nearby projects of recent vintage.

However, in reviewing the proposed development, the Urban Design Commission and Plan Commission must ensure that the new building makes a strong, enduring contribution to the City’s architectural inventory and skyline commensurate with the quality of construction of nearby owner-occupied buildings. The proposed building is likely to stand in its as-built condition for decades to come and must be both a building of its time and timeless so as not to appear dated. Additions to the City’s skyline of the prominence that the subject development will have are rare and should not be considered lightly. It is of the utmost importance that the Urban Design Commission and Plan Commission feel strongly that the building approved for this site be of the highest quality both now and for future generations.

## Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00091, rezoning 149 E. Wilson Street from UMX to DC, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional use to allow an office building to be demolished and a mixed-use building to be constructed, all subject to input at the public hearing and the following conditions:

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

1. Prior to final approval of the plans and the issuance of demolition or building permits, the applicant shall indicate compliance with the provisions in Section 28.071(3)(e)5 of the Zoning Code: “Glass on all windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass may be used on service areas on the building.” In order to meet this condition, additional information shall be provided for the exterior of the first floor trash/ recycling room facing E. Wilson Street, which staff recommends be as transparent as possible, and translucent if not, so as to avoid a “dead” zone along that elevation.

2. The final plans shall note the height of the project in City datum. All portions of the building shall observe the Capitol View Preservation limits of 187.2 feet, City datum, except where approved herein as a conditional use for the proposed elevator penthouse/ stair tower.
3. The HVAC system for the building shall be internalized to eliminate mechanical penetrations in the facades so that the mechanical equipment may penetrate the roof and be appropriately screened from view per the expectations of the Downtown and Urban zoning district standards.

**The following conditions of approval have been submitted by reviewing agencies:**

**City Engineering Division** (Contact Janet Dailey, 261-9688)

4. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits. When the recorded CSM image is available from the ROD, the City Assessor's Office can then create the new Address-Parcel-Owner data in the property database on which the permits will be issued.
  5. The Easement for Fire Lane per Document No. 4110564 shall be denoted and the limits of the easement shown on all site plans.
  6. The address of 149 E. Wilson Street is being retired with the demolition of the existing building. The new proposed building will have a base address of 151 E. Wilson Street.
  7. Proposed 6-inch sanitary sewer cannot be connected to the City's 6-inch diameter main with a WPE connection. The 6-inch lateral will rather need to be connected at a City sanitary sewer manhole.
  8. Review the required sanitary sewer capacity with Mark Moder of City Engineering at 261-9250.
  9. Discharge of stormwater onto the Union Pacific Railroad property requires separate approval or permitting. Provide evidence of such permitting or approval to City Engineering prior to site plan sign off. As an alternative, the applicant may meet with the City Engineer to discuss a different solution.
10. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
  11. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
  12. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
  13. 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.

14. In accordance with 10.34 MGO – Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping (Lzenchenko@cityofmadison.com) so that an interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
15. The final site plans shall include a full and complete legal description of the site or property being subjected to this application.
16. The approval of this development does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
17. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
18. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
19. The applicant shall 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.
20. All work in the public right of way shall be performed by a City-licensed contractor.
21. All damage to the pavement on E. Wilson Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
22. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
23. The applicant shall show stormwater "overflow" paths that will safely route runoff when the storm sewer is at capacity.
24. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.

25. For commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Wisconsin Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than one acre and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
26. Prior to approval, this project shall comply with MGO Section 37 regarding stormwater management. Specifically, this development is required to: reduce TSS off of the proposed development by 80% when compared with the existing site, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 MGO.
27. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the City Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
28. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
29. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
30. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering Division signoff.
31. The site plan shall be revised 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.
32. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing lateral that serves a building which is proposed for demolition. For each lateral to be plugged, the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. Note: New plugging procedures and permit fees are in effect as of January 1, 2013.

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

33. The 18-foot fire lane is unlikely to accommodate both a loading zone and ingress/egress from parking entrance. This may result in moving vehicles and garbage trucks staging within the Butler-King-Wilson street intersection. E. Wilson Street is likely to include a contra flow bike lane in the future, further complicating loading/unloading from E. Wilson Street.
34. Loading for the commercial space as designed is unlikely to occur in the fire lane. Vehicles making deliveries to the building are likely to park in the E. Wilson Street intersection, which may cause increased congestion in the intersection.
35. Traffic Engineering questions the constructability of the building on this footprint without major negative impacts to pedestrian and vehicular travel. The applicant shall submit a construction plan for Traffic Engineering Division review prior to sign off of final plans. The applicant shall plan on using construction methods above and beyond normal means to maintain sidewalk and travel lanes within the E. Wilson Street right of way at all times.
36. The applicant shall work with the Madison Fire Department to maintain all necessary fire accommodations via fire lane located on the south side of the building at all times during the construction of the building.
37. The applicant shall demonstrate in construction plans prior to sign off how deliveries will be taken on the site without adversely impacting pedestrians or the general traveling public.
38. If sporadic impacts to the right of way are required, they must be completed on an approved weekend only. Weekend impacts to the public right of way during major events will not be permitted.
39. Existing stairs that serve 137 E. Wilson Street within the fire lane/parking/loading access will not allow for proper driveway operation of the proposed facility. Approval of the proposed site shall be contingent on the applicant providing an 18-foot wide drive aisle, clear of any obstructions, from E. Wilson Street to the parking facility entrance of 149 E. Wilson Street.
40. A condition of approval shall be that no residential parking permits shall be issued for 149 E. Wilson Street; this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this requirement in their apartment leases. In addition, the applicant shall submit for 149 E. Wilson Street a copy of the lease noting the above condition with the final plans for this project.
41. The applicant shall provide a 10-foot clear vision triangle behind the right of way at the pedestrian sidewalk approaching E. Wilson Street on the final plans.
42. When the applicant shall submit plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing and proposed property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
43. 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.

44. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
45. All parking facility design shall conform to standards in MGO Section 10.08(6).

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

46. The overall height of the building, including all mechanical equipment projections, shall not exceed the Capitol View Preservation limitation, 187.2 feet City Datum, per Sec. 28.134(3) of the Zoning Code. This project includes a permissible elevator/mechanical overrun equipment projection into the Capitol View height area by approximately 6.2 feet. Per Sec. 28.134(3) of the Zoning Code, this projection may be approved with this conditional use. Provide the overall height of building relative to Capitol View height limitation on the final plans.

47. Plan level two of the plans shows 51 storage spaces, which appear to be counted toward the minimum bike parking requirement. Per MGO Section 28.141(11)(c) of the Zoning Code, personal storage areas may not count toward the provision of required bicycle parking. The project is 46 spaces short of the minimum bike parking requirement, not including future commercial space, which has a bike parking requirement to be determined. The project provides about 33% less than the required minimum. Per Sec. 28.141(11)(a)1, the visitor parking and majority of the commercial bike parking must be designed as short-term stalls (13 stalls plus commercial to be determined), where 4 are shown as short-term on the submitted plans. A bike parking reduction may be requested with this project, but has not been specifically requested with this submittal.

48. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

49. Provide detail drawings of the windows on all facades, to show compliance with MGO Section 28.071(3)(e).

50. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31, Sign Code prior to sign installations.

51. Bike parking shall comply with MGO Section 28.141: Clearly show each bike parking space on the floor plans, including required 5-foot access aisle. Identify wall-mounted, structured, and surface bike parking spaces, and include a bike rack detail showing compliance with Sec. 28.141(11).

52. Provide landscape plans pursuant to MGO Section 28.142, 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.

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

53. Provide a fire command center per IBC 911.

54. Provide fire apparatus access as required by IFC 503 2009 edition, MGO Section 34.503: Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs.

**Water Utility** (Contact Dennis Cawley, 261-9243)

55. This property is in wellhead protection district WP-17. All proposed/ future uses of the site shall be approved by the Water Utility General Manager or his/ her designee.

56. The Madison Water Utility shall be notified to remove the water meter prior to demolition. Per MGO Section 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Parks Division** (Contact Kay Rutledge, 266-4714)

57. The developer shall pay approximately \$312,667.65 for park dedication and development fees for the new 127 multi-family units proposed. This development is within the Tenney-Law-James Madison park impact fee district (SI26). Please reference ID# 13167 when contacting Parks Division staff about this project. Note: Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

58. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, the contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of the *City of Madison Standard Specifications for Public Works Construction*.

59. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

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

This agency did not provide comments for this request.