



**Project Addresses:** 425 N Frances Street and 450 W Gilman Street  
**Application Type:** Demolition Permit, Zoning Map Amendment, Conditional Use, and Certified Survey Map Referral  
**Legistar File ID #** [90470](#), [90538](#), [90381](#), and [90393](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted  
**Reviewed By:** Kevin Firchow, Planning Division

**Summary**

**Applicant:** Brad Aycock, Villas Student Housing; 506 W 22<sup>nd</sup> Street; Austin, Texas.

**Property Owners:**

- 425 N Frances Street: Bella Giardina, LLC; 425 N Frances Street; Madison.
- 450 W Gilman Street: Ridgeview Investments of Madison; 1202 Regent Street; Madison.

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

**Surveyor:** Kevin Pape, Vierbicher; 999 Fourier Drive, Suite 201; Madison.

**Requested Actions:**

- ID [90470](#) – Consideration of a demolition permit to demolish a multi-family dwelling at 450 W Gilman Street;
- ID [90538](#) – Consideration of a request to rezone 425 N Frances Street and 450 W Gilman Street from UMX (Urban Mixed-Use District) to DC (Downtown Core District);
- ID [90381](#) – Consideration of a conditional use in the [Proposed] Downtown Core (DC) District for a new building with greater than six (6) stories, and consideration of a conditional use in the DC District for outdoor recreation, to allow construction of a sixteen-story mixed-use building with 700 square feet of commercial space, 118 apartments, and rooftop pool; and
- ID [90393](#) – Approving a Certified Survey Map of property owned by Bella Giardina, LLC and Ridgeview Apartments LLP located at 425 N Frances Street and 450 W Gilman Street.

**Proposal Summary:** The applicant is requesting approval to construct a sixteen-story mixed-use building that will contain 700 square feet of commercial space and 118 apartments following demolition of a one- and two-story mixed-use building at 425 N Frances Street containing a restaurant and four apartments, and a three-story, six-unit apartment building at 450 W Gilman Street. The demolition of 450 W Gilman requires Plan Commission approval. The top floor of the proposed building will include a pool and deck. The project is scheduled to commence in spring 2026, with completion anticipated by August 2028.

**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 dwelling units in a mixed-use building as a permitted use in the [proposed] DC district; accessory outdoor recreation is allowed as a conditional use in DC zoning. Section 28.074(4) requires that all new buildings with greater than six (6) stories obtain conditional use approval following a recommendation by the Urban Design Commission using the Downtown Urban Design Guidelines. 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 demolitions.

The proposed development is adjacent to the Grimm Book Bindery at 454 W Gilman Street, which is a locally designated landmark. Per Section 28.144 of the Zoning Code, any development on a zoning lot adjoining a landmark or landmark site for which Plan Commission or Urban Design Commission review is required shall be reviewed by the Landmark Commission to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site. Landmark Commission review shall be advisory to the Plan Commission and the Urban Design Commission.

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

### **Summary Recommendations:**

That the Plan Commission may find that that the standards for demolition permits are met to **approve** demolition of a multi-family dwelling located at 450 W Gilman Street subject to input at the public hearing.

That the Plan Commission find the standards are met and forward Zoning Map Amendment ID 28.022–00733, rezoning 425 N Frances Street and 450 W Gilman Street from UMX to DC, to the Common Council with a recommendation of **approval**.

That the Plan Commission find that the standards for conditional uses met to **approve** allow construction of a sixteen-story mixed-use building with 700 square feet of commercial space, 118 apartments, and rooftop outdoor recreation subject to the conditions from reviewing agencies beginning on **page 11**.

That the Plan Commission forward the Certified Survey Map to combine 425 N Frances Street and 450 W Gilman Street into one lot to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 20**.

## **Background Information**

**Parcel Location:** An approximately 19,623 square-foot (0.45-acre) parcel (per CSM) located on the northwestern side of W Gilman Street and east side of N Frances Street, approximately 250 feet north of University Avenue; Alder District 2 (Ochowicz); Madison Metropolitan School District.

**Existing Conditions and Land Use:** Per City records, the parcel at 425 N Frances Street is approximately 13,477 square feet in area and is developed with a two-story mixed-use building that contains Porta Bella Restaurant and four apartments. The parcel at 450 W Gilman Street contains 6,451 square feet of land and is developed with a three-story, six-unit apartment building and rear surface parking lot accessed from N Frances Street. Both parcels have frontage on both streets and are zoned UMX (Urban Mixed-Use District).

### **Surrounding Land Use and Zoning:**

**North:** ‘The Hub’ mixed-use development located at the southeastern corner of State Street and N Frances Street, zoned DC (Downtown Core District);

**South:** Bill’s Key Shop, multi-tenant office building, Cheba Hut, and multi-tenant mixed-use buildings on the southeasterly side of W Gilman Street, and ‘The Eleanor’ mixed-use building and former Grimm Book Bindery apartments on the northwesterly side of Gilman, all zoned UMX (Urban Mixed-Use District);

**West:** State Street Campus parking garage located on the west side of N Frances Street, zoned UMX; and

**East:** 'The James' mixed-use development fronting University Avenue/W Gorham Street and W Gilman Street, zoned UMX.

**Adopted Land Use Plans:** The 2012 Downtown Plan includes the subject site and adjacent properties located north of W Gorham Street and University Avenue extending north of State Street in the "State Street" District. The Plan recommends that the subject site and nearby properties on both sides of Gorham-University be developed with Downtown Mixed-Uses. The Plan seeks to maintain and enhance the "unique," "vibrant," "special," and "intimate" character of the State Street District as the City's "premier" destination for shopping, dining, culture and entertainment by reinforcing the pedestrian-scale of the district and "human-scale" developments that promote synergy and interaction (Objective 4.2). Away from State Street, the recommendations for the district allows for some development of a larger scale to be considered along W Gorham Street and University Avenue. The Parcel Analysis in the Plan also identifies the portion of the subject site adjacent to W. Gorham Street as a potential infill/redevelopment site due to its surface parking lot and vacant land along the street.

The Comprehensive Plan as amended through 2024 recommends the subject site and surrounding properties for Downtown Mixed-Use (DMU).

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

Requirements	Required	Proposed
Front Yard Setback	0'	0'
Side Yard Setback	0'	5" North   X' (Southwest)
Rear Yard	0'	6"
Lot Coverage	N/A	---
Minimum Building Height	2 stories	17 stories/171' (See Zoning conditions)
Maximum Building Height	12 stories/172'	
Stepback: See downtown stepback map	15' stepback above 4 stories: Gilman St and Frances St	15' stepback at 5 <sup>th</sup> story Gilman St and Frances St
Auto Parking	None – Central Area	68
Electric Vehicle (EV) Stalls	10% EV ready: 7	4 EV ready (See Zoning conditions)
Accessible Stalls	Yes	Yes
Bike Parking	Multi-family dwelling: 1 per unit up to two-bedrooms, half-space per additional bedroom (227); 1 guest space per 10 units (12); General retail; service business; office: 2 minimum (241 total)	224 interior, 11 surface (235 total) (See Zoning conditions)
Loading	Not required	0
Building Forms	Commercial Block Building	(See Zoning conditions)
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design (DC zoning), Utility Easements, Barrier Free, Adjacent to Landmark	
No:	Transit-Oriented Development (TOD) Overlay, Waterfront Development, Wetlands, Floodplain, Adjacent to Park, Wellhead Protection	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

**Environmental Corridor Status:** This 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 daily all-day Metro Transit service south of the site along University Avenue and W Johnson Street. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 437 Weekday and 186 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

## Project Description

The applicant is requesting approval of a request to rezone two parcels totaling 19,623 square-foot (0.45-acre) from UMX to DC and conditional uses to construct a sixteen-story mixed-use building at 425 N Frances Street and 450 W Gilman Street. The proposed building will replace a two-story mixed-use building at 425 N Frances Street containing a restaurant and four apartments, and a three-story, six-unit apartment building at 450 W Gilman Street. The demolition of 450 W Gilman also requires Plan Commission approval due to a finding of historic value by the Landmarks Commission. The applicant is also requesting approval of a Certified Survey Map (CSM) to combine the underlying parcels into one lot.

The subject parcels both have frontage along the northwesterly side of W Gilman Street and the east side of N Frances Street. The site is located approximately 250 feet north of University Avenue, roughly in the middle of the block of Gilman bounded on the northeast by the State Street-N Broom Street-Gilman intersection. The parcel at 425 N Frances Street is developed with a two-story building that includes the Porta Bella restaurant on the lower floor, which is accessed from a courtyard from Frances. The building, which backs onto Gilman, also includes four dwelling units. The building at 450 W Gilman Street contains six dwelling units and includes parking for approximately six automobiles in the rear yard, which is accessed from a driveway from N Frances Street. The parking lot extends onto the adjoining property at 454 W Gilman Street, which is developed with apartments located in the former Grimm Book Bindery, a locally designated landmark.

Following demolition of the existing buildings, the proposed sixteen-story building will occupy most of the uniquely shaped site. The first floor of the building along W Gilman Street will include an approximately 700 square-foot commercial space with an entrance from the Gilman sidewalk as well as the entrance to two levels of structured parking for 68 automobiles. The building will include 118 apartments on the floors above. The residential lobby will occupy the N Frances Street façade of the ground floor. The 118 units will consist of 14 one-bedroom units, 14 two-bedroom units, six three-bedroom units, 39 four bedroom-units, and 45 five-bedroom units (441 total bedrooms). Parking for 240 bicycles will be provided for the development per the letter of intent. The top floor of the proposed building will include an outdoor pool and deck and indoor spa, basketball court, and fitness center, as well as four two-level "townhouse" units. The letter of intent indicates that the target audience for the proposed dwelling units will be university students.

The proposed building will stand two stories in height at W Gilman Street adjacent to the landmark Grimm building before stepping up two additional stories. A 15-foot setback is proposed above the fourth floor along Gilman and above the second floor along Frances. The building will be set back approximately two (2) feet on the northeast adjacent to the portion of the adjacent Hub development at Gilman, with a 3- to 3.5-foot setback on the southwest side adjacent to the Grimm Bookbindery. The setback adjacent to the rest of The Hub will be between five inches and two feet. A portion of the top floor pool deck will overhang the setback adjacent to the landmark beginning

at the fifteenth floor. The building will be clad with a combination of metal panel fascia, concrete masonry units (large-format brick), and finished concrete panels, and will stand 171 feet in height.

## Analysis

Dwelling units in mixed-use buildings are permitted uses in the UMX zoning of the subject property. However, the proposed building placement will not provide the 10-foot rear yard setback required in UMX zoning. Therefore, the applicant is requesting to rezone the property to the DC district, which has no required rear yard setback. In DC zoning (as well as in UMX), any new building with greater than six stories require conditional use approval by the Plan Commission following a recommendation by the Urban Design Commission using the Downtown Urban Design Guidelines. Additionally, the rooftop pool and deck require conditional use approval as outdoor recreation.

### Consideration of Zoning Map Amendment Standards and Consistency with Adopted Plans

The standards for zoning map amendments found in Section 28.182(6) of the Zoning Code state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Wis. Stats. Section 66.1001(3) requires that zoning map amendments approved after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

The 2012 Downtown Plan includes the entire site and adjacent properties located on the northerly side of W Gorham Street and University Avenue extending to north of State Street in the "State Street" District, including the 400-blocks of N Frances Street and W Gilman Street. The Plan seeks to maintain and enhance the "unique," "vibrant," "special," and "intimate" character of the State Street District as the City's "premier" destination for shopping, dining, culture and entertainment by reinforcing the pedestrian-scale of the district and "human-scale" developments that promote synergy and interaction (Objective 4.2). Away from State Street, the recommendations for the district allow for some development of a larger scale to be considered along W Gorham Street and University Avenue. The recommended height map (page 37) allows up to 12-story buildings to be built on this site.

The Downtown Plan emphasizes the importance of creating appropriately scaled buildings compatible with their surroundings. While the Plan established a Maximum Building Heights Map to create a more predictable development review process for new buildings scaled consistent with their surroundings, it also asserted the importance of topography, view corridors, the presence of historic resources, variety in building heights, and the scale of existing buildings in the vicinity in determining whether a new building may be constructed to the maximum height identified for a specific site or area. Since the adoption of the Downtown Plan, two buildings have been built nearby up to the twelve-story height limit on the Downtown Height Map, including The Hub, which adjoins the proposed building on the north and northeast.

More recently, the subject site and surrounding properties are recommended for Downtown Mixed-Use (DMU) by the Comprehensive Plan as amended through 2024. The DMU land use category is used to delineate areas of the downtown that are outside the core of the downtown but are still appropriate for intensive mixed-use development. DMU areas are generally more focused on residential, retail, and service uses than areas recommended for Downtown Core (DC) by the Plan, but may also include some government and employment uses. Subject to the Downtown Plan height map, some DMU areas are appropriate for mixed-use development

that can rival development intensities within DC areas. The Comprehensive Plan defers to the Downtown Plan for details on heights, mix of uses, ground floor uses, pedestrian friendly design, and other considerations that must be addressed for development in the DMU category.

The Planning Division believes that the request to rezone the subject site to the DC zoning district to facilitate construction of the proposed mixed-use building is consistent with the recommendations for the site in the Downtown Plan and Comprehensive Plan summarized above.

### Consideration of Demolition Standards

In February 2025, the Common Council adopted Ordinance 25-00010 (ID [86649](#)) to change the demolition review process and approval standards. When a demolition application is submitted, it is first reviewed by the Landmarks Commission. The Landmarks Commission assigns Category A, B, or C to each principal building. Category A buildings have historic value based on architectural significance, cultural significance, or historic significance. Category B buildings have historic value, but the building itself is not historically, architecturally or culturally significant. Category C buildings have no known historic value. The demolition of a Category C building may be approved by the Director of Building Inspection. The demolition of a Category A or B building requires approval by the Plan Commission following a public hearing.

On November 10, 2025, the Landmarks Commission reviewed the demolition applications for both existing buildings that occupy the subject site. While the Landmarks Commission found that the two-story mixed-use building at 425 N Frances Street had no known historic value (a Category C finding), it determined that the demolition of the three-story multi-family dwelling at 450 W Gilman Street was a Category B demolition, noting “the building has historic value related to the vernacular context of Madison’s built environment as an intact building constructed circa 1890, but the building itself is not historically, architecturally or culturally significant.” The motion to refer the demolition to the Plan Commission with a Category B finding passed on a 3-1 vote and followed a motion that the building was a Category C demolition, which failed for lack of a second. Full information on the Landmarks Commission review of the demolition may be found in legislative file ID [90470](#).

The Plan Commission shall not approve the demolition unless it finds that two approval standards are met.

Standard 1 states: *“Demolition of the existing building(s) is consistent with or will aid in the implementation of adopted plans or with the purpose statement of this section. The Plan Commission may consider how demolition and redevelopment of the property relates to the implementation of the City’s adopted plans.”*

Per the discussion in the preceding subsection of this report, staff believe the proposed project is consistent with the City’s adopted plans.

Standard 2 states: *“There are factors that are found to outweigh the public interest in preserving historic resources. Such a finding may include, but is not limited to:*

- i. The building is found to be in such a deteriorated condition that it is not structurally or economically feasible to preserve or restore it.*
- ii. If the building has historic value, the building has been so altered that it cannot convey its historical association or architectural significance.*

- iii. *There is a structural or fire hazard, unlawful use of the property, public nuisance, or other public health and safety concern that supports demolition as provided in reports from the Madison Fire Department, Police Department, and/or Building Inspection Division.”*

Planning staff believes that the Plan Commission may find that standard 2 is met. Staff is unaware of any evidence that the three-story multi-family dwelling is in deteriorated condition and further, that there are no structural or fire hazards, unlawful uses, or public nuisances present on the property. Rather, the building is likely in a condition commensurate with its use in recent years as student-oriented housing. However, staff believes that factors exist that outweigh the public interest in preserving the historic resource, which should be considered by the Plan Commission. In this case, demolition of the building at 450 W Gilman Street will facilitate redevelopment of the site in a manner consistent with the intensity and scale recommended in adopted plans and with significantly more dwelling units than the six located on the site currently, including a percentage of those units to be restricted as affordable (see the sub-section that follows).

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. Conditions may include plans to mitigate the loss of the building to include relocation, salvage of historic materials, adaptive reuse of portions of existing structures, interpretive installations at the site, or other creative mitigation measures. In its Category B finding, the Landmarks Commission recommended no conditions regarding reuse of or historic documentation for 450 W Gilman Street. Any conditions for this demolition may be found in the ‘Recommendation’ section of the report, which follows.

#### Consideration of the Conditional Use Standards

A conditional use is defined in the Zoning Code as “a use which, because of its unique or varying characteristics, cannot be properly classified as a permitted use in a particular district.” The Plan Commission shall 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].” Before granting a conditional use, the Plan Commission may stipulate conditions and restrictions on the establishment, location, construction, maintenance and operation of the conditional use. Additionally, state law requires that conditional use findings must be based on “substantial evidence” that directly pertains to each standard and not based on personal preference or speculation.

Conditional use standards 1–6 and 8 are applicable to this request.

Planning staff believes that the Plan Commission may find that the applicable standards for approval are met. 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 by the construction of the proposed mixed-use building, nor should it impede the normal and orderly development and improvement of the surrounding property for uses permitted. The proposed building has been designed to closely neighbor the adjacent Hub building, which features two twelve-story mostly blank facades perpendicular to Frances and Gilman Streets that will largely be blocked by the proposed building, though the massing and placement of the subject building will have the effect

of creating a courtyard along the south-facing interior facades of The Hub. No comments have been received from reviewing agencies that would suggest that the City is unable to provide services to the property, or that the utilities, access roads, drainage, internal circulation improvements and other site improvements proposed with the conditional use project are inadequate, though the Traffic Engineering Division has requested commercial delivery, resident move-in/move-out, and waste removal plans for review as conditions of approval. Additionally, Planning staff is recommending approval of the project with a condition requiring approval of a management plan for the project, which will cover many of the same conditions as the Traffic Engineering Division conditions.

During initial discussions about the project, City staff expressed a desire for vehicular access for the proposed building to come from N Frances Street rather than W Gilman Street to reduce the number of automobiles using Gilman for access. Both the Hub and James mixed-use developments use Gilman for automobile access in addition to the historic lower-rise buildings located in the 400-block. W Gilman Street is a one-way street toward State Street for autos (it was recently converted to two-way traffic for bikes), which means that all autos leaving the site will be directed to the northeast and the intersection of State, Gilman, and N Broom Street, a historically busy pedestrian crossing along State Street. However, the project team indicated that it was not possible to design their indoor parking to take vehicular access from N Frances Street because of the unique configuration of the site. The Traffic Engineering Division has reviewed the project and submitted no specific comments or conditions regarding impact from the proposed development on W Gilman Street beyond the conditions discussed above regarding approval of commercial delivery, resident move-in/move-out, and waste removal plans.

Finally, prior to approving a conditional use for any new building in the DC zoning district proposed to contain more than six stories, the Zoning Code requires that the Urban Design Commission provide a recommendation to the Plan Commission on conformity to the design standards in the [Downtown Urban Design Guidelines](#). The Urban Design Commission reviewed the project at its November 19, 2025 meeting and recommended that the proposed building met the guidelines subject to conditions that the pool overhang shall be revised to taper back to the façade of the towers on either side of the pool to create positive finish at the top of the building; that the garage door on W Gilman Street be revised to reflect a more transparent/glazed storefront-type of garage door giving consideration to maintaining a similar mullion pattern to the storefronts along the ground floor; and final review of the lighting plan for the rooftop. More information on the UDC review of the project may be found [here](#) (ID 89583). With the Urban Design Commission's recommendation on the design of the proposed building, staff believes that the Plan Commission may find that standard 8 is met and recommends that the UDC conditions of approval be made part of its approval of the conditional use for the project.

### *Affordable Housing Height Exception*

The Zoning Code was amended in 2024 to allow additional stories in excess of those identified on the Downtown Heights Map in Section 28.071(2) if the property owner/ developer [of the taller building] agrees to comply with the provisions of a memorandum of understanding between the City and one or more postsecondary educational institution(s) regarding the referral of students from households with low or moderate incomes to rent bedrooms at below market rate subject to a Land Use Restriction Agreement (LURA) for the benefit of the City that guarantees that the property owner will provide the below market rate affordable units to students from households with low or moderate incomes for a specified period of time. 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 twelve (12) stories and 172 feet according to the Downtown Height Map in Section 28.071(2)(a) of the Zoning Code. The applicant is proposing that the four additional stories be constructed while abiding by the 172-foot height limit. 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 height complies 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.c. 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 with the Dane County Register of Deeds.

#### Development Adjacent to a Landmark or Landmark Site

The subject site is located adjacent to the former Grimm Book Bindery at 454 W Gilman Street, which was designated a local [landmark](#) in 1989.

Section 28.144 of the Zoning Code requires the following:

*“Any development on a zoning lot adjoining a landmark or landmark site for which Plan Commission or Urban Design Commission review is required shall be reviewed by the Landmark Commission to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site. Landmark Commission review shall be advisory to the Plan Commission and the Urban Design Commission.”*

As stipulated by Section 28.144, the Landmarks Commission met on November 10, 2025 to review the proposed development and determine whether it was so large or visually intrusive adjoining the landmark. Following presentation of a staff report, public comments, and comments and a presentation by the development team, the Landmarks Commission voted to recommend to the Plan Commission and Urban Design Commission that due to the side setback and substantial step back from the single-story wing of the building, the proposed development will not be so large as to adversely affect the historic character and integrity of the adjoining landmark. However, the Landmarks Commission recommended a less industrial and “closed” character of the exterior materials of the single-story wing to increase the street-level activation so that it is not so visually intrusive as to adversely affect the historic character and integrity of the adjacent landmark. The motion passed by voice vote/other. The condition recommended by the Urban Design Commission regarding the garage door on W Gilman Street was influenced by the Landmarks Commission’s finding regarding the visual character of the proposed building.

See file ID [90011](#) for more information on the Landmarks Commission review of the proposed building adjacent to the Grimm Book Bindery.

#### Criteria for Certified Survey Map

Finally, the Plan Commission may find that the proposed one-lot Certified Survey Map to combine the underlying lots that comprise the subject parcel meets the standards and criteria for approval subject to the conditions in the Recommendations section of the report.

## **Conclusion**

The applicant proposes to construct a sixteen-story, 171-foot tall mixed-use building containing 700 square feet of first floor commercial space and 188 multi-family dwelling units on a 0.45-acre parcel located at 425 N Frances Street and 450 W Gilman Street. The proposed building will not meet the rear yard setback required by the existing UMX zoning of the property, which necessitates that the property be rezoned to the DC district, which has no rear yard setback requirement. The development also requires approval of conditional uses by the Plan Commission for a building containing more than six stories and for accessory outdoor recreation for a pool and roof deck on

the sixteenth floor. Staff believes that the proposed zoning district is consistent with the recommendations for the “State Street” District in the 2012 Downtown Plan and the Downtown Mixed-Use land use category in the 2024 Comprehensive Plan and that the conditional uses required for the project can meet the standards for approval subject to the applicant submitting a management plan for approval by the Zoning Administrator, Planning Division, and Traffic Engineering Division prior to the issuance of permits for the building.

The proposed building will replace a two-story mixed-use building at 425 N Frances Street and a three-story multi-family dwelling at 450 W Gilman Street. During its review of the demolition of the multi-family dwelling, the Landmarks Commission found that the building has historic value but that the building itself is not historically, architecturally or culturally significant – a Category B finding. Category B historic value findings require that the Plan Commission approve the demolition in order for permits to be issued. In order for the Plan Commission to approve the demolition, it shall find that the standards in Section 28.185(6)(c) are met. Staff believes that the Plan Commission may find those standards met, noting that construction of the proposed building, which will contain 118 dwelling units, outweighs the public interest in preserving the historic resource due to the significant increase in units compared to the six existing in a building that reflects the scale and intensity recommended in adopted plans.

Finally, the proposed building is located adjacent to the Grimm Book Bindery at 454 W Gilman Street, which requires that the Landmarks Commission review the proposed development to determine whether it is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site. The Landmarks Commission recommended to the Urban Design Commission and Plan Commission that the proposed building is not so large as to adversely impact the Grimm Book Bindery due to the setbacks and stepbacks proposed adjacent, but that revisions to the architecture are needed along W Gilman Street to make the proposed building less visually intrusive. The conditions recommended by the Urban Design Commission are intended to address the visual intrusiveness concern raised by the Landmarks Commission.

## Recommendation

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

That the Plan Commission may find that that the standards for demolition permits are met to **approve** demolition of a three-story, six-unit multi-family dwelling at 450 W Gilman Street subject to input at the public hearing.

That the Plan Commission find the standards are met and forward Zoning Map Amendment ID 28.022–00733, rezoning 425 N Frances Street and 450 W Gilman Street from UMX to DC, to the Common Council with a recommendation of **approval**.

That the Plan Commission find that the standards for conditional uses met to **approve** allow construction of a sixteen-story mixed-use building with 700 square feet of commercial space, 118 apartments, and rooftop outdoor recreation at 425 N Frances Street and 450 W Gilman Street subject to the conditions from reviewing agencies beginning on the next page.

That the Plan Commission forward the Certified Survey Map to combine 425 N Frances Street and 450 W Gilman Street into one lot to the Common Council with a recommendation of **approval** subject to the conditions from reviewing agencies beginning on **page 20**.

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

**Planning Division**

1. That the applicant shall submit a management plan in the format provided by the Zoning Administrator detailing resident move-in and move-out arrangements, trash pick-up, and delivery operations for review and approval by the Zoning Administrator, Director of the Planning Division, and Director of Traffic Engineering or their assigns prior to final approval of the project and issuance of permits for the new building.
2. Prior to final approval of the plans for the proposed building, the plans shall be revised to provide height dimensions on all sides of the building as measured from the highest point of the site. The height in feet of the proposed building 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). 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.
3. The plans for the proposed building show the height as measured to the penthouse roof as 171.0 feet. The final plans shall show the height of the building in City datum so that it may be confirmed that the building meets the Capitol View Preservation height limit in MGO Section 28.134(3). The project plans do not show any elevator overruns or rooftop-mounted mechanical equipment above 171.0 feet. Prior to final sign-off, the applicant shall work with Planning and Building Inspection Division staff to identify any projections above the penthouse roof and verify there are no projections into to the Capitol View limit. Note that any increase in the height projections into the Capitol View height limit will require consideration of a new conditional use request by the Plan Commission.
4. That the conditional use requests be approved with the following conditions of approval as recommended by the Urban Design Commission on November 19, 2025:
  - That the pool overhang shall be revised to taper back to the façade of the towers on either side of the pool to create positive finish at the top of the building.
  - The garage door shall be revised to reflect a more transparent/glazed storefront-type of garage door giving consideration to maintaining a similar mullion pattern (perhaps more vertical) to the storefronts along the ground floor.
  - Final approval of the rooftop lighting by Planning staff.

**City Engineering Division** (Contact Gretchen Aviles Pineiro, (608) 266-4089)

5. Due to the close proximity of an existing sanitary manhole on N Frances Street, the applicant is requested to revise utility plan to connect to the existing manhole structure immediately to the north of the currently proposed structure rather than installing a new structure. City sewer is a 21-inch diameter sewer main and it operates at 10-inch depth. Staff recommends the proposed lateral be at least 8 inches above the manhole invert.

6. The applicant shall provide projected wastewater calculations to Mark Moder, [mmoder@cityofmadison.com](mailto:mmoder@cityofmadison.com). The applicant may be required to install offsite sanitary sewer improvements as a condition for development.
7. If proposed pool is to be connected to sanitary sewer, discharge shall be limited to 50 gallons per minute. The applicant shall add a note to plan to confirm.
8. All roof water shall be discharged to the storm system. No discharge to the sidewalk shall be allowed. Additionally, the proposed connection to storm will require crossing multiple private utilities. ULOS shall be completed prior to the City signing off on any private plans showing these storm sewer improvements.
9. The developer shall 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. Please contact the City Engineering Division to schedule the development and approval of the plans and the agreement.
10. The applicant shall construct sidewalk, terrace, curb, gutter, and pavement along W Gilman Street and N Frances Street to a plan approved by the City Engineer.
11. 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 ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
12. Provide the City Engineer with the proposed earth retention plan used for the construction of the building. The earth retention plan must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention plan.
13. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused, and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
14. Obtain a permit to plug each existing storm sewer.
15. An Erosion Control Permit is required for this project.
16. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
17. A Storm Water Maintenance Agreement (SWMA) is required for this project.
18. This site appears to disturb less than one (1) acre of land. No submittal to the Wisconsin Department of Natural Resources (WDNR), Capital Area Regional Planning Commission (CARPC), or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Division is an approved agent for DSPS.
19. The demolition plan shows the proposed removal of the electrical vault along the W Gilman Street right-of-way in front of the development. If determined by the utility owner that the vault cannot be eliminated as

shown on the plans and shall be replaced, the new vault plans shall be submitted to City Engineering for review and approval and the grates shall be outside the footprint of the mainline sidewalk.

20. 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.
21. This project will disturb 4,000 square feet or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) 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.
22. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.
23. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by MGO Chapter 37.
24. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The 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.
25. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West).

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

26. The site plan indicates canopies encroaching into the N Frances Street and W Gilman Street right of ways. The applicant shall confirm and note on the plans all encroachments, including, (but not limited to) balconies, roof overhangs and underground vaults. Confirm with City Real Estate if such encroachments are allowed and if needed, apply for an application with City of Madison Office of Real Estate Services 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.

27. Release the following agreements to allow for the proposed development:

- a) Release the wall easement for decorative wall along adjacent building Per Document No. 5093587;
- b) Release existing encroachment agreement for bike racks release Document No. 4817488; and
- c) Release the driveway easements per Document Nos. 447408 and 447409.

28. The address for the proposed apartments is 419 N Frances Street. The address for the proposed retail is 444 W Gilman Street. 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.

29. 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 or an early start permit.

30. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for multi-family dwellings indicating the number of apartments on each floor. 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 Addressing Plan shall be included in said Site Plan Verification application materials. Per Section 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)

31. Parking is not dimensioned and as such not reviewable at this time; Traffic Engineering staff reserves the right to make any comment up to and including comments that may require a redesign and cause the applicant to return to Plan Commission for approval. The applicant should be aware standard parking stalls are 9 feet by 18 feet with 24 feet of back-up, stall widths shall not be encroached upon by any items including columns or equipment hung from ceilings and walls.

32. The applicant shall submit for review a waste removal plan for approval by the City Traffic Engineer, which shall include vehicular turning movements.

33. The applicant shall submit for review a commercial delivery plan, which shall include times, vehicle size, use of loading zones and all related turning movements. If the applicant is expecting to utilize the public right of way for their delivery needs, they can expect to be financially responsible for the removal of metered stalls and signage necessary to accommodate the appropriate loading zone.
34. The applicant shall submit for review a residential moving plan, which shall include all parking regulations near the site as well as how a new resident may apply to receive city-issued 'No Parking' signs and meter hoods.
35. Traffic Engineering staff recommends the applicant explore options to better align the drive aisle to avoid conflicts with entering/exiting vehicles.
36. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
37. 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.
38. 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.
39. All parking facility designs shall conform to the standards in MGO Section 10.08(6).
40. 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.
41. 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.
42. 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.
43. 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 Division office with final plans for sign-off.

44. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
45. "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.
46. 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.
47. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
48. Note: The City wishes to preserve future curbside opportunities on the 400-block of N Frances Street. The applicant should expect the curb lane on the west side of the 400-block of N Frances Street to be unavailable for fire access usage.
49. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed as "No Parking Anytime."
50. 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 limited access to the public right of-way on N Frances Street will be granted for construction purposes. Provide a detailed construction plan to the Traffic Engineering Division for review prior to final signoff.

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

51. The applicant shall submit a Transportation Demand Management (TDM) Plan for the project to tdm@cityofmadison.com. Submittal and approval of a TDM Plan is required, per MGO Section 16.03. Applicable review fees will be assessed after the TDM Plan is reviewed by staff.
52. The proposed development shows the removal of at least one on-street metered stall. Per City policy, the applicant shall be financially responsible for any on-street stall removals resulting from development. The current fee for removing a metered stall is \$44,331 per stall.

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

- |  |
|--|
| 53. The applicant proposes to exceed the maximum number of stories (12 stories/172'). Per Section 28.071(2)(a)2., buildings with a voluntary contractual Land Use Restriction Agreement ("LURA") with the City |
|--|



of Madison to provide income and rent-restricted dwelling units or bedrooms in a dwelling unit ("affordable units") may exceed the maximum number of stories, provided the building remains at or below the maximum height in feet in Table 28E-3. Provide Zoning staff with a copy of the recorded LURA.

54. Provide electric vehicle ready stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (7 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans and add the count of electric vehicle ready stalls to the parking summary table.
55. 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 227 resident bicycle stalls are required plus a minimum of 12 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.
56. Bicycle parking for the commercial tenant space shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for the use. Provide a minimum of two (2) 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 one hundred (100) feet of a principal entrance.
57. 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.
58. Provide details of the green roof areas.
59. Show the height and width of the parking garage opening. Parking garage openings visible from the sidewalk shall have a clear maximum height of 16 feet and a maximum width of 22 feet.
60. 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. Upper story openings shall comprise a minimum of fifteen percent (15%) of the facade area per story. Opaque garage doors and service doors shall not count toward the above requirements.
61. Work with Zoning staff to establish a project completion date. 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.
62. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Chapter 33 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)

63. Based on building configuration of the lobby being on N Frances Street, the Fire Department would anticipate a N Frances St address.

64. Per MGO Section 34.508, the fire command center shall be visible from the building main entrance. The fire command center will need to be relocated.

65. Per IBC 403.6.1 Fire Service Access elevators will be required based on building height shown on drawings.

66. Provide a fire access plan documenting compliance with MGO Chapter 34 and 2024 IFC requirements. Note: Aerial access is not required to be documented for type IA, IB, and IIA construction types.

**Parks Division** (Contact Emma Krug, (608) 263-6850)

67. 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(6)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the Central Park-Infrastructure Impact Fee district. The Park Impact Fee ID# for this project is 25080.

68. The park impact fee will be exempt for developments that meet the “low-cost housing” requirements, as defined as rental or owner-occupied housing units that are affordable, as that term is defined in MGO Sec. 4.22(2), and which meet the deed restriction requirements of Sec. 4.22(7). A low-cost housing certification from the Community Development Division is required for Park Impact Fee exemptions. For projects that do not receive funding from the Community Development Division, a Land Use Restriction Agreement (LURA) with the Parks Division is required.

69. Low-cost housing is exempt from Park Impact Fees. This exemption only applies to those dwelling units or bedrooms within a development that are determined to be low-cost housing. This exemption does not extend to the land dedication requirements set forth under Sec. 16.23(8)(f), MGO, nor any other impact fees that may apply to a development.

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

70. 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, 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.

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

71. 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.

72. 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 whose 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.
73. City Forestry will issue a street tree removal permit for two 4-inch diameter trees: an elm along W Gilman Street and the coffeetree along N Frances Street due to construction conflicts. The contractor shall contact City Forestry at (608) 266-4816 to obtain permits. Add as a note on both the demolition and street tree plan set.
74. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The 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.
75. 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.
76. 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 the 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.
77. 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.
78. 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.

79. 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.
80. 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.
81. 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, The 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.
82. 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.
83. 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.
84. 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.

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

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

---

**Certified Survey Map – Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

**City Engineering Division** (Contact Gretchen Aviles Pineiro, (608) 266-4089)

1. The developer shall 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. Please contact the City Engineering Division to schedule the development and approval of the plans and the agreement.

2. 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.
3. A minimum of two (2) working days prior to requesting City Engineering signoff on the CSM, contact either Tim Troester (West) at (608) 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at (608) 261-9127 (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).

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

4. Show or cite various agreements that affect the parcel or release the items that will longer needed for the concurrent development:
  - a) Release the wall easement for decorative wall along adjacent building Per Document No. 5093587;
  - b) Release existing encroachment agreement for bike racks release Document No. 4817488; and
  - c) Release the driveway easements per Document Nos. 447408 and 447409.
5. 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 CSM.
6. Provide standard 60 year report of title as required under the CSM application and under MGO Sec 16.23. Title information provided was a commitment for title insurance. Per the Land Division application, Title insurance or a title commitment policy are not acceptable. Additional comments may be forthcoming when a proper title search has been provided.
7. Cite the existing Air space agreements per Document Nos. 5057477 and 5206759 that affect this parcel on the face of the CSM.
8. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering ([jrquamme@cityofmadison.com](mailto:jrquamme@cityofmadison.com)).
9. Per A-E 7.05(11) list the datum and adjustment for the coordinate system used.
10. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the Certified Survey Map in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office web address for current tie sheets and control data that has been provided by the City of Madison.

11. Prior to Engineering final sign-off by main office for Certified Survey Maps, the final CSM shall be submitted in PDF format by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
12. Further explain why the found monuments on the in on the parcel in the detail are east of the N Frances Street right of way and the monument found on Lot 14 of University Addition to Madison is also found east of the right of way. It would seem that the right of way as found monumented may lie easterly of what is shown.
13. This 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 or an early start permit.
14. The applicant shall submit to Julius Smith 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)

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

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

This agency has reviewed the request and recommended no conditions of approval for the CSM. A TDM Plan is required for the conditional use request (see section above).

**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)

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

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

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

**Assessor's Office** (Contact Carlos D. Aguilar Velin, (608) 267-8791)

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

**Parks Division** (Contact Izzy Wilde, (608) 261-9671)

This agency did not submit comments for the CSM.

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

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.

**Office of Real Estate Services** (Lance Vest, (608) 245-5794)

15. 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). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest reported in the most recent title report. If any of the land within the CSM boundary is under contract for sale or purchase, and said transfer will be conducted at the time of CSM recording, an escrow agreement may be necessary. Please discuss closing plans with ORES in advance of CSM signoff. The City and 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.
16. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s).
17. As of November 7, 2025, real estate taxes are paid for the subject property. Per 236.21(3) Wis. Stats. and MGO Section 16.23(4)(f)(3), the property owner shall pay all real estate taxes that are accrued or delinquent for the subject property prior to CSM recording. This includes property tax bills for the prior year that are distributed at the beginning of the year. Receipts from the City of Madison Treasurer are to be provided before or at the time of sign-off.
18. As of November 7, 2025, there are no special assessments reported. All known special assessments are due and payable prior to CSM approval sign-off. If special assessments are levied against the property during the review period and prior to CSM approval sign-off, they shall be paid in full pursuant to MGO Section 16.23(4)(f)(3).
19. Pursuant to MGO Section 16.23(5)(g)(4), the owner shall furnish an updated title report to Lance Vest ([lvest@cityofmadison.com](mailto:lvest@cityofmadison.com)), 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. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The 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.
20. Depict, name, and identify by document number all existing easements and encroachment agreements cited in record title and the title report.

21. Depict and show the dimensions of all existing buildings and encroachments within the proposed CSM boundary, and any encroachments within or beyond the CSM boundary. If buildings are going to be demolished, don't include their dimensions and label them "TO BE DEMOLISHED". The following items shall also be depicted, but do not require dimensions, including but not limited to: drives, parking lots, athletic courts, pools, wells, septic systems, etc.
22. If all parties of interest agree that certain easements from prior plats or CSM's of record are no longer necessary, the release documents for said easements shall be recorded prior to CSM approval sign-off, with the recording information for the release included as a Note on the proposed CSM.