



**Project Address:** 330 East Wilson Street  
**Application Type:** Demolition and Conditional Use  
**Legistar File ID #:** [33909](#)  
**Prepared By:** Heather Stouder, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** Palladia, Inc.; Kothe Real Estate Partners; 115 E. Main St., Ste. 210, Madison, WI 53703

**Contact:** Josh Wilcox; Gary Brink and Associates, Inc.; 7780 Elmwood Ave., Ste. 204, Middleton, WI 53562

**Property Owner:** Robert J. Rubin; 317 E. Wilson St. Madison, WI 53703

**Requested Action:** Approval of the demolition of an existing office building and a conditional use for construction of a six-story mixed-use building at 330 East Wilson Street in the UMX (Urban Mixed Use) District.

**Proposal Summary:** The applicant proposes to demolish a two-story, 5,700 square foot office building for the construction of a six-story mixed use building with a 1,283 square foot commercial space on the ground floor and 30 apartment units on upper floors.

**Applicable Regulations & Standards:** This proposal is subject to the standards of approval for demolition (MGO Section 28.185) and conditional uses (MGO Section 28.183(6)).

**Review Required By:** Urban Design Commission (UDC), Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards can be met and **approve** the demolition and conditional use request for 330 East Wilson Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** 330 East Wilson Street is located on the northwest corner of East Wilson Street and Hancock Street; Aldermanic District 6 (Rummel); UMX (Urban Mixed Use) District; Madison Metropolitan School District.

**Existing Conditions and Land Use:** The 6,171 square foot (0.14-acre) property is developed with a two-story, 5,700 square foot office building constructed in 1957. The property can currently be accessed from both Hancock Street and East Wilson Street. A substantial retaining wall runs along the northwest edge of the property to accommodate the grade change between this and the adjacent property.

### Surrounding Land Use and Zoning:

Northeast: Across South Hancock Street to the northeast, a three-story mixed-use building with a ground floor photography studio and four one-bedroom apartments on upper levels in the UMX District.

East/Southeast: Due east and diagonal from the site at the southeast corner of East Wilson and Hancock, City of Madison Well #17 in the UMX District. Across East Wilson Street to the southeast, Rubin's Furniture buildings, a four story brick building with a two-story attached warehouse, in the UMX District. The warehouse portion of this site is recommended for redevelopment with Downtown Core mixed uses at a maximum height of ten stories.

**Southwest:** Immediately adjacent to the southwest is a two-story, 4,000 square foot office building in the UMX District. The Downtown Plan recommends Downtown Core mixed uses at a maximum height of six stories for this site.

**Northwest:** Immediately adjacent to the site at 140 South Hancock Street, two-story residential condominiums in the DR2 District, and within the First Settlement Local Historic District. This site sits between four and ten feet higher than the subject property, and the two have a substantial retaining wall between them

**Adopted Land Use Plan:** The Comprehensive Plan (2006) includes this area in the Downtown Core Mixed-Use Sub-District. Mixed-use buildings and residential densities exceeding 60 units per acre are among the many recommended land uses. The Downtown Plan (2012) recommends Downtown Core Mixed-Use in buildings with up to six stories, and identifies the subject property as an underutilized site and/or obsolete building.

**Zoning Summary:** This property is in the UMX (Urban Mixed Use) District.

Dimensional Requirements	Required	Proposed
Lot Area	3,000 sq. ft.	6,171 sq. ft.
Lot width	30	52'
Front yard setback	Mix-use buildings: 0'	1' 2 1/8"
Side yard setback	0' See (a) below	TBD – RS 0 - LS
Rear yard	10'	10'-4 3/8"
Maximum lot coverage	90%	TBD (Please see Zoning Condition No. 40, p. 18)
Maximum building height.	6 stories See Downtown Height Map	7 stories (Please see Zoning Condition No. 34, p. 17)
Usable open space	10 sq. ft. per bedroom (450 sq. ft. total required) (200 sq. ft. at grade minimum)	342 sq. ft. + roof deck TBD sq. ft. at grade (Please see Zoning Condition No. 35, p. 17)
Site Design	Required	Proposed
Number parking stalls	0 (Central Area)	5
Bike parking	1 per unit up to 2-bedrooms, ½ space per add'l bedroom; (32) 1 guest space per 10 units; (3) 35 3 short term minimum for residential guests with in 100' of principal entrance. 29 long term for residential. Maximum 25% structured (9) Retail: 1 per 2,000 sq. ft. (2) Total 37	Short term – 10 Long term – 27  Need 2 additional long term Need 3 less structured Need minimum 5 surface within 100' of entrances (Please see Zoning Condition No. 32, p. 17)
Landscaping	Yes	Yes
Lighting	Yes	Yes
Building forms	Yes	Meets building forms
UMX Design review	Yes	TBD
<b>Other critical zoning items:</b> Urban Design (UMX building review, Barrier free (ILHR 69), Wellhead Protection (WP#17)		

Table Prepared by Matt Tucker, Zoning Administrator

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

## Project Description

**Land Use** – The applicant proposes to demolish a two-story office building constructed in 1957 with a six-story mixed use building. The proposed building has 1,250 square feet of commercial space at the corner of East Wilson and South Hancock Streets, and 30 apartment units on upper levels. The unit mix includes 10 efficiencies, 10 one-bedrooms, 5 two-bedrooms, and 5 three-bedroom units. The proposed residential density on this small property is 214 dwelling units per acre and 321 bedrooms per acre.

**Building Placement and Massing** – The rectangular building is 121 feet wide along East Wilson Street and ranges from 40 to 45 feet deep, covering most of the property while maintaining a 10-foot setback along the western property line and a 5-foot setback along the northern property line. The building is placed on the property line along East Wilson, and is set back just over 1 foot from Hancock Street, which is the same distance from the streets as the existing building. The main parapet is at 64 feet above grade, and the tallest point on the building is 74 feet 9 inches, at the top of the rooftop access area. The building has very little modulation, but the massing along East Wilson Street is bisected with a stone stair and elevator tower. Massing is further articulated with slightly recessed French balconies on both street-facing facades.

**Access, Parking, and Circulation** – Automobile and bicycle access to the site would be from South Hancock Street, with a two-way driveway leading to five at-grade parking stalls under the building and an at-grade parking area for ten bicycles or mopeds. An additional 27 bicycle stalls are provided in the basement level of the building, accessed from the lobby via the elevator or stairs. As proposed, the existing driveway to the property from East Wilson Street has been eliminated. The main pedestrian entrances to the building are both on East Wilson Street, with the residential lobby accessed just east of the stair tower and the commercial entrance on the slightly recessed corner of the building.

Trash and recycling would be stored on the first level of the building, with trash chutes provided on the second floor for residents, so that they need not walk outside of the building or through the commercial space to access the room. Trash loading would take place in the driveway behind the building.

**Building Exterior and Site Details** –The original submittal shows a building with a light colored stone base and medium brown metal paneling as the primary building material. White metal paneling is proposed in the recessed French Balcony areas on both the Hancock and East Wilson Street facades. A prominent stone stair tower bisects the building into two halves along the East Wilson Street facade, reaching up past the parapet and providing access to the rooftop patio. The first floor has a high proportion of glass along Hancock Street and on the first 40 feet of the building from the corner of Hancock and East Wilson. The center third of the ground level East Wilson Street facade in the area of the tower is relatively opaque, and the western third of the facade is proposed with frosted glass in front of the small surface parking area (Zoning would require this area to be vision glass). Five-foot square windows and sliding glass doors are distributed on upper levels of the building. At the corner is a vertical glass element stretching from the second floor to the top of the building.

Revised plans submitted to the Urban Design Commission on June 3 show a building with the same program but architectural changes that significantly impact the look of the building. White metal panels are the primary building material, with royal blue metal paneling in the French balcony areas as well as a band of blue metal around the building just above the first level. Window openings on the stair tower have been increased substantially, and the metal paneling has been partially extended over the eastern edge of the stair tower in an attempt to visually narrow it. The top of the stair tower is curved in an attempt to minimize its mass. French balconies facing East Wilson Street have been widened, and the glass curtain wall around the corner commercial space has been separated into multiple components with vertical stone columns. The next page shows a corner-view comparison of the exterior of the building as originally submitted and as most recently revised on June 3 for the UDC submittal.

Landscaping on the site is minimal, since the building covers or almost all of the site. The landscape plan includes planters and a small tree on the rooftop patio area, as well as a small landscaped area just west of the building with a serviceberry tree, boxwoods, and small perennials.

**Original Submittal**



**June 3 Revision**



## Related Reviews and Approvals

On June 11, the Urban Design Commission will review the proposal for its conformity to the design standards in Sec. 28.071(3) and with regard to the Downtown Urban Design Guidelines. A report from that meeting and any other subsequently submitted information will be provided to the Plan Commission.

## Project Analysis

Staff believes that the proposed mixed-use building, with a small corner commercial space and 30 residential units is generally a good fit for this site. Staff particularly appreciates the variety of unit types, recognizing that the applicant has provided a high proportion of two- and three-bedroom units absent any zoning requirements to do so. While the building would be the largest on the north side of East Wilson Street in this area, the mass of the building on this small property is appropriate when taking into account the Downtown Plan recommendations for future redevelopment in this area. Sites immediately to the west, to the east as far as Blair Street, and diagonal to the southeast also have recommended maximum heights of six (6) stories, and the property just across East Wilson Street to the south could be redeveloped at up to ten (10) stories. This six-story proposal is indeed taller than buildings to the north, which lie within the First Settlement Local Historic District, but should provide a good transition to significant redevelopment to the south and west.

The applicant has responded to several suggestions from staff, the UDC, and the First Settlement Neighborhood Steering Committee regarding design details. Staff appreciates the glass “solarium” on the southwest corner of the building as a strong element above the main commercial entrance. In the plans submitted on June 3, the glazing on the prominent stair tower in the center of the main facade along East Wilson Street has increased, which reduces the stretch of blank wall in the middle of the building. The new curve on top of the tower is a unique architectural feature, but may not be the best solution in this urban setting.

As a response to neighborhood and aldermanic input to lighten the color of building materials, the applicant has recently changed the primary exterior material from a light brown metal panel to a white/light grey metal with blue accents. Staff had suggested the use of brick, rather than metal, but the applicant has indicated that masonry would be too heavy for the type of construction planned, and that it would not likely be economically feasible. While masonry is strongly preferred as a primary building material, staff believes that the warmer color of the medium brown metal would better compliment this building’s surroundings.

One of the major concerns staff has raised with the applicant throughout the review process is the impact of the at-grade parking area along the western half of the building. For only 5 parking spaces, staff believes this space represents a lost opportunity for increased activity at the street level, such as a second (or expanded) commercial space, or even a larger residential lobby area. As has been noted, the proposed frosted glass windows would need to be vision glass, in order to meet zoning requirements in the UMX District. Staff believes that the loss of potential active space for half of this building for parked cars, whether behind vision glass or frosted glass, would be regrettable.

**Consistency with Adopted Plans-** The Downtown Plan (2012) identifies the subject property as an underutilized site, and/or one with an obsolete building (Parcel Analysis Map, p. 25). This particular property lies within an area recommended for Downtown Core Mixed-Use. Thus, the demolition of the existing building and its replacement with a new mixed-use building is generally consistent with Plan recommendations. However, two sections of the Plan have further details pertaining to this proposal that are included and briefly examined below.

First, the view down Hancock Street toward Lake Monona is identified as an important view in the Downtown Plan (Views and Vistas, p. 32). Objective 3.1 and Recommendation 40 in the Plan relate to this.

***Objective 3.1:** Preserve views of, to, and from Downtown that reflect the natural topography and enhance views of the skyline, Capitol, lakes, and other important vistas*

***Recommendation 40:** Incorporate building height, setback and stepback requirements as provided for in this plan into the Zoning Ordinance that will preserve and enhance the identified priority viewsheds and corridors. Viewshed studies should be prepared for projects proposed in priority viewsheds to demonstrate that there are no negative impacts on the viewshed.*

Staff notes that the Plan does not include recommendations for specific setbacks or stepbacks along Hancock Street to protect this view, nor has the Zoning Code included such requirements. However, most of the buildings on the west side of Hancock Street, just north of this property, have a setback between five and ten feet. The proposed building is set back just over one foot from the property line, which is the same setback as that of the existing two-story building. The applicant has not submitted a viewshed study at this time of this report, but staff believes that it would be helpful to demonstrate the impact of the proposal on the view toward Lake Monona. Staff will provide updates to the Plan Commission if a viewshed study is submitted, as well as on any discussion by the Urban Design Commission on this issue.

Secondly, the Downtown Plan includes recommendations for each individual neighborhood, and this particular property lies at the southern edge of the First Settlement Neighborhood, immediately adjacent to the First Settlement Local Historic District. Objective 4.12 and Recommendations 107 and 108 apply to this proposal.

***Objective 4.12:** The First Settlement neighborhood should build on its historic character and focus new development on key sites on the edge of the historic core to strengthen the neighborhood and its identity as a historic neighborhood. Opportunities exist to better connect this area to the lake and views of it from within the neighborhood should be preserved.*

***Recommendation 107:** Focus more-intensive development on selective vacant or underutilized sites at the historic district's edges...*

***Recommendation 108:** Preserve the character of the First Settlement District and ensure that new development is compatible with the historic context in scale and design.*

Staff believes that the subject property is ripe for redevelopment, and that the proposal, while taller than other buildings in the area, is small enough such that it generally fits in with nearby properties from a scale and massing perspective. It differs significantly with other buildings with regard to design and architectural detailing with its irregular shape and the predominance of metal paneling. Staff encouraged the applicant to utilize brick masonry as a primary material, but the applicant has explained that this material would not be feasible from a structural or economic standpoint.

**Demolition Standards-** Standards for approval of demolition can be found in MGO Section 28.185(7)(a). The Landmarks Commission on April 7, 2014, found no historic value for the property, and staff has no concerns regarding the demolition of the existing two-story building on the site, which was identified in the Downtown Plan as an underutilized site and/or obsolete building (Parcel Analysis Map, p. 25). While efforts shall be made to reuse and recycle components of the building, it is not a good candidate for relocation.

The requested demolition and the proposed use are generally compatible with the purpose for the UMX zoning district, and the proposed use, building massing, and design should continue to support normal and orderly development and improvement of surrounding properties. The proposal is consistent with the land use recommendations of adopted plans, although Planning Division staff believes that elements of the design should be revised to be fully consistent with Downtown Plan recommendations, as mentioned above, and with the Downtown Urban Design Guidelines, which are analyzed beginning on Page 8 of this report.

**Conditional Use Standards** – The Planning Division staff evaluation of the proposed project’s ability to meet the standards for conditional use approval is summarized below.

As stated in MGO Section 28.183(6)(a), *“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 as 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:*

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

Staff believes that this standard can be met.

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 these services.*

Staff believes that this standard can be met.

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.*

Staff believes that this standard can be met.

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 believes that this standard can be met. Some have raised concerns about the proposed massing in relationship to the buildings in the First Settlement Local Historic District adjacent to the north. Staff believes that the proposed building maximizes the development potential for this small property. However, while taller than buildings to the north, this will likely be a relatively small building when compared with other potential redevelopment sites in this area. The site immediately to the west has also been designated as an underutilized site or obsolete building. While it may have been advantageous for the two sites to have been part of one narrow but larger redevelopment, the proposed building does not preclude something similar in scale occurring immediately to the west.

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.*

Staff believes that this standard can be met, if more conveniently located or easily accessible outdoor bicycle parking is provided for commercial customers. As mentioned several times throughout this report, staff recommends the removal of some or all of the five proposed parking spaces, and believes that this standard could be met without any automobile parking. With such a small space for parking, and so few stalls resulting from the design, staff believes that the elimination of automobile parking could result in a superior proposal.

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.*

Staff believes that this standard is met.

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

While this standard is not currently met for usable open space or the size of the rooftop access area, staff believes that this standard can be met, so long as all Zoning conditions of approval are addressed.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission for comment and recommendations.*

It is unclear whether this standard is fully met. The proposal is indeed compatible with the statement of purpose for the UMX District, which is focused primarily on land use (see below).

*Statement of Purpose for Urban Mixed Use (UMX) District*

*This district is intended to provide opportunities for high-density residential and office uses in combination with limited retail and service uses designed to serve the immediate surroundings.*

Concerning Standard No. 9, the Plan Commission should focus on whether or not the proposal would create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area. Staff has raised questions about the appropriateness of metal (particularly white metal) as the primary exterior material, and also about the adequacy of the window sizes and proportions, especially along the East Wilson Street facade. Importantly, staff does not believe that the provision of five at-grade parking stalls is worth losing the opportunity to activate a greater portion of the ground level along East Wilson Street. Both the UDC and Plan Commission should consider these issues when reviewing the proposal.

[Standards 8 and 10-15 do not apply to this request]

**Downtown and Urban Design Guidelines** - The Planning Division staff evaluation of the proposed project's ability to meet these guidelines is summarized below.

*Site Design and Building Placement*

1. *Orientation*

The proposed building is oriented to the corner of East Wilson and South Hancock Streets, with a corner entrance to the retail space. The building is placed on the East Wilson Street property line, and just over 1 foot back from Hancock Street, a small setback which is maintained all the way up to the top of the building. Each of the streets has a five-foot wide public sidewalk, and the most recent plans show a slight cut-away on the corner of the first floor to provide more ample space for pedestrians near the commercial entrance.

This section stresses the importance of active street-level uses. As such, staff believes that the building orientation to East Wilson Street would be dramatically improved if the surface parking area behind the frosted windows were replaced with additional commercial space or common space for the residents of the building.

This section also mentions that "buildings should be oriented to preserve and enhance the views identified on the Views and Vistas Map in the Downtown Plan", which includes the view down South Hancock Street to Lake Monona. Staff appreciates the slight setback along Hancock Street, which is greater than that of the existing two-story building, but the Urban Design Commission should take a close look at whether this guideline is adequately addressed with the proposed six-story building, which will be 5-10 feet closer to the property line than others shorter buildings on the block.

## *2. Access and Site Circulation*

Staff believes that the proposed elimination of the driveway from East Wilson Street is a strength of this proposal. However, the site plan currently has a circuitous route for bicyclists seeking short-term parking opportunities, especially for commercial customers. Staff recommends that this be addressed with an access path for bicyclists from East Wilson Street, or a relocation of some of the outdoor bicycle parking nearer to the corner entrance of the building. As an alternative, the applicant may wish to work with Traffic Engineering to explore opportunities for bicycle parking in the right-of-way near the corner of the building.

Importantly, this section states, “parking facilities beneath a building should not be considered a valid reason to establish an occupiable first floor more than three (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”. In this case, the architect has proposed windows with frosted glass in front of a surface parking area over 40-feet long along the primary building facade. The UDC should carefully consider whether this arrangement meets the intent of this section.

## *3. Usable Open Space – Residential Development*

Staff believes that the rooftop terrace, with its mix of patio and garden spaces, would be a major asset to the residents in this building, but that it may need to be enlarged to meet basic usable open space requirements in the zoning code. The French balconies for most units and the small balconies provided on the southwest corner units are all of insufficient size to be counted toward the usable open space requirement, but will provide good opportunities to open up the units when weather is nice.

Finally, this section suggests that “common recreational facilities and social activity spaces in the development may be considered toward meeting some of the need for usable open space”. Staff has mentioned several times a desire to replace the surface parking in this proposal with an active space, and suggests that the applicant could consider replacing the parking area with a common indoor space as one alternative to additional commercial space.

## *4. Landscaping*

In the small area available for landscaping between the building and the sidewalk, staff believes that these guidelines are met, noting that the applicant has proposed a small tree and garden areas on the rooftop, as well as basic at-grade landscaping. Staff again suggests that the applicant should consider replacing a portion of the landscaping on the western edge of the site with a pathway to access the bicycle parking area, or to relocate some of the bicycle parking for easier access for commercial customers.

## *5. Lighting*

The applicant has indicated the intent to provide soft down-lighting on the rooftop patio, in the bike parking area, and at the commercial entry. Also, architectural lighting behind the frosted windows is proposed in front of the parking area. The UDC should carefully review the lighting information submitted to determine whether the guidelines in this section are met.

# Architecture

## *1. Massing*

This section stresses the importance of compatibility between proposed and existing buildings, noting that the evolving context should be considered that in areas where the Downtown Plan recommends significantly taller or larger buildings than currently exist. Again, this section mentions the importance of maintaining views identified on the Views and Vistas Map in the Downtown Plan, and suggests that stepping back upper levels may be appropriate to minimize the overall scale and shadow effects.

Members of the neighborhood steering committee and others living to the north have requested that the applicant consider stepping back upper levels of the building on Hancock Street, and the applicant has indicated that the impacts to the program would render the project economically infeasible.

Staff has not seen or reviewed shadow or viewshed studies, and believes that both of these would be very helpful to the Urban Design Commission in considering whether the guidelines in this section are sufficiently addressed.

## *2. Building Components*

This section again mentions the importance of locating active use areas on lower level street side spaces within a building in order to incorporate a higher level of visual interest. Staff appreciates the applicant's attempts to achieve this with frosted glass in front of the parking area, but does not believe the result would be an adequate street façade along East Wilson Street.

The proposed building lacks a definitive "top", and the UDC should consider recommending an architectural feature be added to define the top of the building. Further, the treatment of the stair and elevator tower should be closely examined. Staff appreciates the increased use of glass on the stair tower in the June 3 submittal, but questions whether the curved top is necessary in this setting. Staff believes that it may be preferable to slightly inset the tower and maintain a horizontal top. The UDC should provide additional guidance on this issue.

## *3. Visual Interest*

Staff believes that these guidelines can be met, especially if the parking area is replaced with a more active use to enhance the ground level facade along East Wilson Street, as is recommended by staff.

## *4. Door and Window Openings*

The 5' by 5' square windows dominating the East Wilson Street facade in this proposed building differ from window proportions on most buildings in the area. Most buildings nearby have single or paired "vertical" windows taller than their width. Staff understands from the applicant that the height of the windows is nearly the maximum achievable based on the desired distance from the floor and ceiling within the units themselves, but has encouraged the applicant to find ways to incorporate additional glazing, particularly on the East Wilson Street facade of the building.

Staff believes the accentuation of the corner commercial entrance with the glass element above it can be very successful.

## *5. Building Materials*

Staff believes that the material palette of metal and glass with a stone base and stair tower is sufficiently simple. Staff has encouraged the applicant to explore replacing the metal with brick as a primary material, but the applicant has indicated that brick would be too expensive and too heavy for the structure. The most recent proposal involved a change in color of the metal paneling from medium brown to a matte white/light grey with royal blue accents. Staff has had only a couple of days to digest the proposed change, and notes that the white appears to be preferred by the neighborhood steering committee. However, staff believes that the original color proposed would be a better fit at this location, as its warmer tone would help the building to better blend in with its surroundings.

The UDC should provide an advisory opinion on the use of metal as the primary building material, and if supported, input on an appropriate color palette to stand the test of time and fit in with both the First Settlement Historic District to the north, as well as the evolving context along this portion of East Wilson Street.

6. *Terminal Views and Highly-Visible Corners*

Staff believes that these guidelines have been well-addressed with the submittal. This is a highly-visible corner for those heading west on East Wilson Street toward King Street. The vertical glass on the corner element is a strong architectural statement, and also maximizes light in the living spaces of the corner units. Some neighborhood residents encouraged the applicant to provide consistent window treatments (for all windows in the building, but especially for this area) so that the vertical element does not become “broken” by the sight of varying types of blinds or curtains from top to bottom, and the applicant is exploring this.

7. *Awnings and Canopies*

Staff believes that these guidelines are met.

## Conclusion

Staff supports the demolition of the existing building and its replacement with a mixed-use building on this site, which was identified in the Downtown Plan as an underutilized site and/or obsolete building. The proposed land use – a small corner commercial space with 30 varied residential units in a six-story building is supported at this location. Staff has three significant issues of concern with the proposal, and recommends either revisions or more information to address these concerns.

First, the active interior space along East Wilson Street is limited to only approximately one-third of the building length, as the western half is dedicated to at-grade surface parking behind a facade of frosted windows. Staff recommends that the surface parking be partially or fully removed, and that the first floor be redesigned to accommodate additional active space, whether as an additional commercial space or as a common space and enhanced lobby area for residential tenants.

Second, despite enthusiasm from some members of the neighborhood steering committee, staff is reluctant to support the use of white metal as the primary exterior material at this prominent location, especially taking into account the surrounding context. The site is adjacent to the First Settlement Local Historic District, and near other prominent historic buildings such as the Rubin’s building across the street to the south, the Cardinal Bar building to the west, and others. While the architectural design need not be traditional, the use of masonry as a more timeless material and more fitting in this area would be strongly preferred. If masonry simply cannot be utilized, perhaps a warmer color of metal paneling more similar to the original submittal would be more fitting. Staff recommends that the applicant continue to work with staff and the Urban Design Commission on this issue.

Third, staff believes additional information may be needed to demonstrate that the proposed building will adequately preserve the view down Hancock Street toward Lake Monona. While no building setbacks or stepbacks are explicitly required by Zoning, upper level stepbacks on this property as well as properties that are redevelop to the south may help to preserve long views toward the Lake. Without seeing more information such as a viewshed study, it is difficult to tell whether recommendations in the Downtown Plan pertaining to this view are fully addressed.

## Recommendation

### Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards can be met and **approve** the demolition and conditional use request for 330 East Wilson Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### **Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

### Planning Division (Contact Heather Stouder, 266-5974)

1. Final plans submitted for review and approval shall be revised to incorporate increased active interior spaces along the East Wilson Street facade in place of some or all of the surface parking area under the building.
2. Prior to submitting final plans for review and approval, the applicant shall work with Planning and Urban Design staff and the Urban Design Commission to make revisions to the exterior materials to ensure that the building compliments the surrounding context. Staff strongly recommends that the applicant utilize brick or another masonry material, rather than metal paneling.
3. Prior to submitting final plans for review and approval, the applicant shall submit to staff and the UDC a viewshed study showing impacts of the proposed building on the view of Lake Monona from South Hancock Street to ensure that this important view is maintained with the proposed 1-foot setback from Hancock Street. (Updates on this issue will be reported to the Plan Commission.)
4. The Plan Commission should waive the requirement for a district boundary screening fence between this property and the property to the northwest at 140 South Hancock Street, as noted in Zoning Condition No. 41. The retaining wall in this location serves as a sufficient screen, and would also make the construction of a fence very difficult.

### City Engineering Division (Contact Janet Schmidt, 261-9688)

5. Landscape plantings are planned in the terrace of the adjacent South Hancock Street right-of-way. If permitted by the City under the Terrace Treatment Policy the owner shall enter into a maintenance agreement for the installation of non-standard terrace features.
6. Letter of intent lists Palladia LLC as the owner. Current Assessor records show Robert J Rubin as owner.
7. The address of 330 E Wilson St is being retired with the demolition of the office building. The project address and the base address of the apartments is 320 E Wilson St. The address for the commercial space is 324 E Wilson St.
8. A storm sewer structure will be required at the connection to the existing 8" VP storm sewer pipe on E. Wilson Street.
9. Permeable parking will comply with the new Standard Oversight Committee standards of storm water treatment credit requested for this practice. Please contact Greg Fries at 267-1199 with questions.
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 (MGO 16.23(9)c).

11. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
12. 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.
13. Submit a PDF of all floor plans to [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) so that a preliminary 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.
14. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
15. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with concrete (POLICY).
16. The approval of this Conditional Use or PUD 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 (MGO 16.23(9)(d)(6)).
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 (POLICY).
18. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which 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 (POLICY).
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 (POLICY).
20. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01).
21. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan (POLICY).

22. All damage to the pavement on E. Wilson Street and S. Hancock Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
23. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
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 < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, 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 (NOTIFICATION).
26. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS off of the proposed development by 80% when compared with the existing site. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
27. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
  - b) Internal walkway areas
  - c) Internal site parking areas
  - d) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)
28. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
    - a) SLAMM DAT files
    - b) RECARGA files
    - c) TR-55/HYDROCAD/Etc
    - d) Sediment loading calculations

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 (POLICY and MGO 37.09(2)).

29. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

30. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer 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: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
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 (POLICY).

**Zoning Administrator** (Contact Matt Tucker, 266-4569)

32. Provide a minimum of 37 bike parking spaces distributed as both *Short Term* and *Long Term* bicycle parking, as required per sec. 28.141(4) and 28.141(11). Provide a detail of the bike rack design including wall mounts. Guest stalls shall be short term. NOTE: current code requires a maximum of 25% (9 spaces) of the bike parking spaces may be structured bike parking (wall-mount or stacked). Call out and dimension required stalls on the final plan. There are various locations in the submitted plans where the dimensional requirements are not being met.
- Due to proposed development site constraints, required short-term bike parking apparently cannot be provided within 100' of the commercial entrance. It appears as though the required two spaces for the commercial use will require approval for a placement in the terrace area of Hancock Street. Contact Jerry Lund in City Real Estate (267-8718) to discuss this issue.
33. The submitted elevation plans show window types and types of glass to be installed, but do not indicate which type of window glass is specifically to be installed at each location. Sec. 28.071(3)(e)(5) requires clear or slightly tinted glass on all windows, except for service areas which may utilize spandrel. The parking area is not considered a "service area" so the windows in this area must be clear or slightly tinted.
34. The elevator and stair level designed to provide rooftop access exceeds the "minimum necessary" to gain access to the roof, so it must be downsized to not be counted as an additional story.
35. As described in Sec. 28.140, for qualifying Usable Open Space (UOS), balconies must have a minimum dimension of four and one-half (4 ½) feet and an at-grade UOS must have a minimum area of 200 sq. ft. The proposed balconies have not been dimensioned so the actual depth is not known, but do not appear to meet this requirement, and the at-grade UOS measures to be about 140 sq. ft. it appears as though the roof deck and an expanded at-grade UOS would meet minimum requirement for this development. On final plan sets, resize at-grade UOS area and provide details of qualifying usable open space.
36. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances prior to sign installations.
37. Sec. 28.185 (7)(a)5 requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann. (608-267-2626).
38. Sec. 28.185 (10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
39. Provide building elevations including a detailed cross section of floor to ceiling heights.

40. Lot coverage: provide design detail of proposed permeable paving to determine qualification as part of lot coverage requirement. Provide final lot coverage calculations with final plan set. NOTE: permeable paving under the building may not be deducted from the lot coverage calculation.
41. Sec. 28.142 (8) requires district boundary screening for the abutting residential property. An indication that a fence exists is included on the plan set, but it is not clear if this fence is on the subject property, or meets the minimum requirements for screening. Provide detail on this fence, noting the fence must be in the subject property and must be a minimum 6'-8' in height.
42. The setback of the building to the side (northeast) property line has not been provided. Clearly label the setbacks of the building on the final plan sets.
43. Rooftop mechanical units are proposed, but the screening detail has not been provided, as required per sec. 28.071(3)(h).
44. Detail regarding the fencing for the roof deck area has not been included. Provide detail with the final plan sets, to be reviewed and approved by planning and zoning staff.

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

45. The entrance on S Hancock St shall be modified from a 'street' type entrance to a 'commercial' type entrance.
  46. A condition of approval shall be that no residential parking permits shall be issued for 330 E. Wilson St, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit for 330 E. Wilson St a copy of the lease noting the above condition.
47. The applicant shall submit one contiguous plan 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.
  48. 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.
  49. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

50. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the demolition permit and/or conditional use. This development is within the Tenney-Law-Madison park impact fee district (SI26). Please reference ID# 14130 when contacting Parks about this project.

**New Development:**

Fees in lieu of dedication = 30 MF @ \$1,799.00 = \$53,970.00

Park development fees = 30 MF @ \$662.95 = \$19,888.50

Total Fees \$73,858.50

51. Forestry will permit the removal of the 17" maple on South Hancock & 3" pear on East Wilson St. Contractor shall contact City Forestry ([dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com)) at least one week prior to construction to obtain the tree removal permit.

**Water Utility** (Contact Dennis Cawley, 266-4651)

52. The Madison Water Utility shall be notified to remove the water meter prior to demolition.

53. This property is in wellhead protection district WP-17. The residential use is an approved use. All proposed commercial uses on this property shall be approved by the Water Utility General Manager or his designee.

54. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

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

55. A second means of egress is required to serve the Roof Patio.

56. If the roof elevation is more than 75 feet above grade, the building will be classified as a high rise building.

57. Please consider allowing Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Lt. Scott Bavery (608) 576-0600.

**No other agencies submitted conditions of approval for this request.**