



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

Related Reviews and Approvals

The Plan Commission referred the proposal on October 27, 2014, to allow time for the applicant to revise the architecture of this mixed-use building. Specifically, the Plan Commission requested that the building be primarily clad in brick, and that the windows be redesigned to be more consistent with the window proportions on buildings in the surrounding area.

The Urban Design Commission (UDC), granted *initial approval* to a previous version of the proposal on July 9, 2014, and granted *final approval* for a previous version of the proposal on October 15. Following the Plan Commission referral, the UDC reviewed a revised proposal on December 3, 2015, and *reaffirmed their October 15 approval* of the design with the light grey metal paneling as the primary building materials (see enclosed report, and earlier reports at this [link](#)). Regarding the November 24 proposal, the UDC did not include specific findings in their motion, but in their discussion they demonstrated support for the use of two colors of brick on the building rather than one, if it indeed was to be a brick building. Further, they noted a lack of support for the architectural element of spandrel glass and metal in the area of the stair tower on the south facade. The applicant has provided a December 10 revision taking into account these items.

As a reference, the Urban Design Commission has an advisory role in the review of this proposal as follows:

MGO 28.076(4)(c): "All new buildings and additions greater than twenty thousand (20,000) square feet or that have more than four (4) stories shall obtain conditional use approval. In addition, the Urban Design Commission shall review such projects for conformity to the design standards in Sec. 28.071(3), if applicable, and the Downtown Urban Design Guidelines and shall report its findings to the Plan Commission."

The original [June 11 staff report](#), [July 28 Addendum](#), and [October 15 Addendum](#) are linked for reference, along with many [comments](#) received regarding previous versions of the proposal.

Recent Project Changes

The revised proposal accommodates the same program as was discussed in the October 15 Addendum – a six-story mixed-use building with approximately 1,900 square feet of ground floor commercial space in two separate spaces and 30 residential units on upper levels. Four parking stalls are included at grade, behind the building.

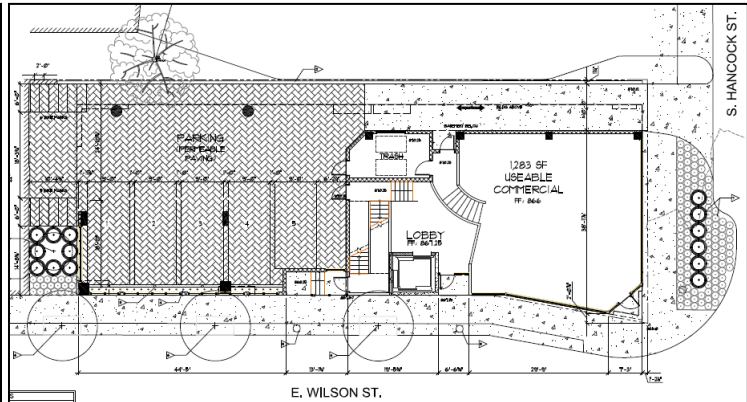
As reflected in the renderings on the following page, the architectural changes in the most recent submittal can be summarized as follows:

Building materials – The revised proposal is clad primarily in grey and tan standard-sized brick, with dark bronze metal as a secondary material. The grey brick is utilized on the base of the building, and also vertically on the northeast and southwest corners of the building.

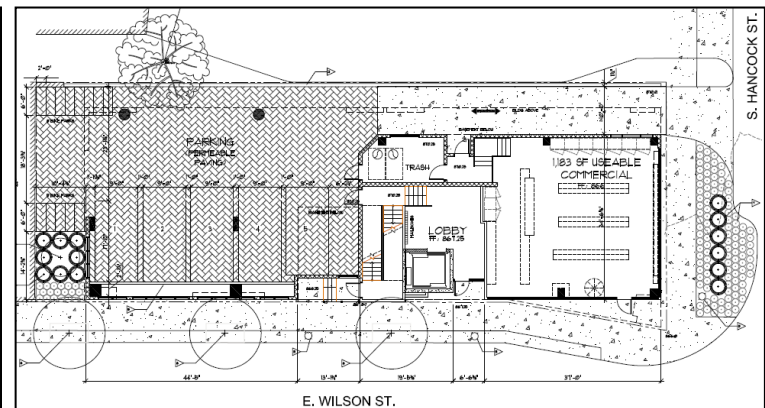
Stair tower revisions – In the November 24 revisions, the stair tower was shown on the south facade as spandrel glass surrounded by a dark bronze metal frame, and was much narrower above the roofline than it had previously been. In the December 10 revision, the stair tower has been removed as an architectural element on the southern facade of the building. It is still narrower above the roofline than in previous versions.

Floor plans – Site and floor plans are essentially the same as they were in the October 6 version of the plans, with slightly larger corner dwelling units at the corner of East Wilson and South Hancock, and wider balconies along East Wilson Street.

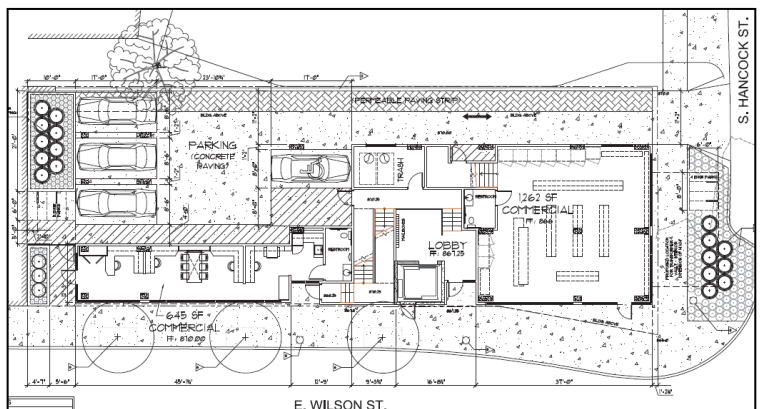
Original Submittal



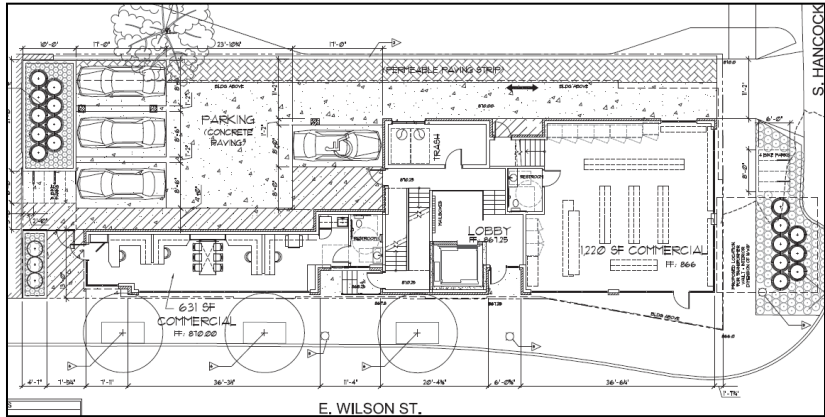
July 9 UDC Submittal (UDC Granted Initial Approval)



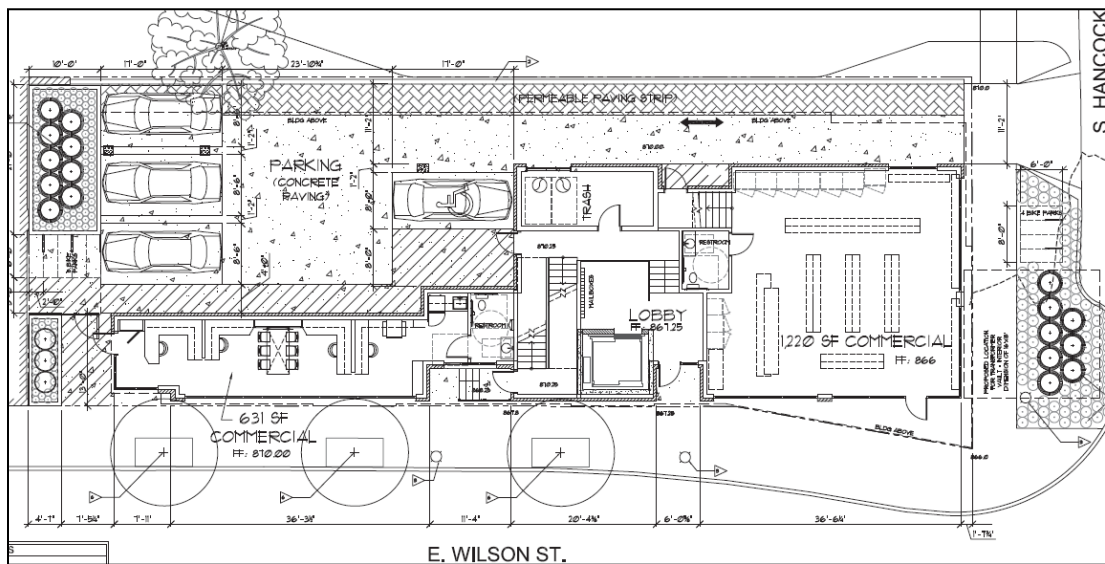
October 6 UDC/PC Submittal (UDC Granted Final Approval, PC Referred)



November 24 UDC/PC Submittal



December 10 Revision



Analysis

Staff believes that the revised proposal responds to the October 27 Plan Commission referral request, and that the demolition and conditional use standards are met. Further, staff believes that the revised proposal is more consistent with the Downtown Urban Design Guidelines than were previous versions of the proposal. Specific standards and guidelines staff believes have been addressed with the latest revision are as follows:

Conditional Use Standard No. 9

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.

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.

Staff believes that this standard is met with the revised proposal.

Downtown Urban Design Guideline – Architecture No. 4a

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

a. The size and rhythm of windows and doors in a building should respect those established by existing buildings in the area where a clear pattern exists, and the residential and/or mixed-use nature of the building.

Staff believes that the revised proposal addresses this guideline with pairings of windows more complimentary to the vertical double-hung windows in the area.

Downtown Urban Design Guideline – Architecture No. 5

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

a. A variety of complementary exterior building materials may be incorporated to provide visual interest to the building. The palette of materials should not be overly complex

b. All sides of a structure should exhibit design continuity and be finished with high quality materials. Materials should be those typically found in urban settings.

c. If material changes are proposed, they should generally occur at inside corners or be delineated by a specific transitional detail such as a pronounced belt course or substantial reveal.

Staff believes that the revised proposal meets this guideline. The primarily brick building with dark bronze metal accents will fit well with the surrounding context, while maintaining a unique, contemporary design.

Conclusion

Staff is very supportive of redevelopment at this location, and believes that the six-story mixed use building with active interior spaces along the East Wilson Street facade is appropriate for the site. Since the building was initially conceived early this year, staff has advised the applicant to utilize masonry, rather than metal as the primary building material for this prominent location, due to its surrounding context.

Recent design changes address the October 27 Plan Commission finding that Conditional Use Standard 9 was not yet met, and staff believes that this will be a context-sensitive addition to East Wilson Street at this prominent Downtown location adjacent to the First Settlement Local Historic District. Following the December 3, 2014 UDC meeting, the applicant has made some additional changes to the design that respect the deliberation of UDC members regarding the masonry building. Staff supports these recent changes, and recommends that the Plan Commission approve the proposal with plans slightly revised to be consistent with the revised renderings submitted on December 10, 2014.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the conditional use standards are met, and approve the proposal at 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.

Note: The list of conditions below is based on the November 24 plan revisions, and should replace the conditions in the October 15 Addendum.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. As part of the approval, the Plan Commission waives 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.
2. Final plans submitted for review and approval by staff shall include elevations and floor plans consistent with the renderings submitted on December 10, 2014. Elevations shall include a detailed schedule of materials to include standard sized brick and color specifications for all materials.

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

3. 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.
4. Letter of intent lists Palladia LLC as the owner. Current Assessor records show Robert J Rubin as owner.

5. 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.
6. A storm sewer structure will be required at the connection to the existing 8" VP storm sewer pipe on E. Wilson Street.
7. 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.
8. The site plan indicates bike racks that will encroach into the S. Hancock Street right of way. The Applicant shall make an application with required fees to the City of Madison Office of Real Estate Services for a privilege in streets permit administered by that agency. Use the following link for application information. An approval of the development does not constitute or guarantee approval of any encroachments within a public right of way. <http://www.cityofmadison.com/developmentcenter/landdevelopment/streetencroachment.cfm>.
9. 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).
10. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
11. 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.
12. Submit a PDF of all floor plans to lzenchenko@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.
13. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
14. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with concrete (POLICY).
15. 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)).
16. 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).

17. 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).
18. 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).
19. 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).
20. 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 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).
21. 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).
22. 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.
23. 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.
24. 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).
25. 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.
26. 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 Mgmt Facilities (including if applicable planting plans)

27. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Mgmt 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)).

28. 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>.
29. 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)).
30. 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)

31. 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.

32. 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.
33. 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. and it is unclear whether the rooftop and at-grade usable open space areas meet the requirements. On final plan sets, please provide detailed calculations of qualifying usable open space.

34. 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.
35. 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).
36. 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.
37. Provide building elevations including a detailed cross section of floor to ceiling heights.
38. 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.
39. 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.
40. 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.
41. Rooftop mechanical units are proposed, but the screening detail has not been provided, as required per sec. 28.071(3)(h).
42. 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)

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| <ol style="list-style-type: none">43. The entrance on S Hancock St shall be modified from a 'street' type entrance to a 'commercial' type entrance.44. Items in the Right-of-Way are not approvable through the site plan approval process. Remove the bicycle racks in the terrace or include an approved Privilege in Streets Permit.45. 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. |
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46. 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.
 47. 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.

48. 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.

49. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Parks Division (Contact Kay Rutledge, 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 and 3" pear on East Wilson St. Contractor shall contact City Forestry (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. The exit stair shall be enclosed at the first floor and will need to be extended to the exit discharge.

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.