

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
June 27, 2006

ZONING MAP AMENDMENT, I.D. 03770 TO REZONE 305 EAST JOHNSON STREET FROM R6 TO PUD-GDP-SIP:

1. Requested Action: Approval of a request to rezone 305 East Johnson Street from R6 to Planned Unit Development, General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow alcohol sales as part of a recently approved conditional use for a restaurant in a residential building.
2. Applicable Regulations: Section 28.07(6) of the Zoning ordinance provides the requirements and framework for Planned Unit Development. Section 28.12(9) provides the process for zoning map amendments.
3. Report Drafted By: Bill Roberts, Planner IV.

GENERAL INFORMATION:

1. Applicant: Navin Jarugumilli, 18 Shepard Terrace, Madison, WI 53705; Mark Schmidt, Knapp Schmidt Architects, LLC, P.O. Box 762, Wautoma, WI 54982.
2. Status of Applicants: Property owner and architect.
3. Development Schedule: The applicant anticipates commencing renovation/construction in October 2006, with completion in January 2007.
4. Parcel Location: Southeast side of East Johnson Street at North Butler Street, Madison Metropolitan School District, 2nd Aldermanic District.
5. Parcel Size: 3,300 square feet.
6. Existing Zoning: R6 General Residence District.
7. Existing Land Use: Two-story residential house recently approved for a restaurant on the lower level and first floor and three total apartments on the site.
8. Surrounding Land Use and Zoning (See map): This site is surrounded by medium and high density residential uses and a mixture of offices, a grocery store, commercial service uses along East Johnson Street, zoned C1, C2, PUD-SIP and R6.
9. Adopted Land Use Plan: The recently adopted City of Madison Comprehensive Plan shows this site as a subdistrict of the downtown known as "First Settlement-Old Market Place". The following are the recommended land uses for this subdistrict:

- Mixed-use buildings with first floor retail, service, dining, entertainment, offices and upper floor residential.
- Residential (16-60 dwelling units per net acre) with densities and dwelling unit types defined by City adopted detailed neighborhood development plans and/or special area plans.
- Historic preservation areas and neighborhood conservation areas in strategic locations as defined in the City adopted detailed neighborhood or special area plans.
- Neighborhood commercial uses.
- Commercial uses along East Washington Avenue.
- Office/service uses.
- Institutional uses.
- Public and private open space.

The plan further indicates that building height in this subdistrict should be two to eight stories.

10. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

PUBLIC UTILITIES AND SERVICES:

This property is served with a full range of urban services.

STANDARDS FOR REVIEW:

This application is subject to the Planned Unit Development District standards.

ANALYSIS, EVALUATION AND CONCLUSION:

On June 20, 2005 the Plan Commission determined that the conditional use standards were met and approved a conditional use application for a restaurant and an additional dwelling unit for this rezoned property located at 305 East Johnson Street. A copy of the Plan Commission approval letter and the conditional use staff report, as well as the Plan Commission meeting minutes are attached.

It was the applicant's intent to provide alcohol sales within the restaurant. Not long after the conditional use was approved, the applicant learned that the sale of alcohol was not permitted in the R6 zoning district. The Zoning Code allowed restaurants without any alcohol sales as a conditional use in the R6 General Residence District. After further discussion with Zoning staff, it was determined that a zoning map amendment would be required to enable alcoholic beverages to be served at this site.

The only difference between the proposal that was approved in June 2005 as a conditional use and this PUD-GDP-SIP proposal is the inclusion of alcoholic beverage sales. Approval of the Alcohol License Review Committee will be required for the liquor license. The only reason that this site is proposed now to be a PUD-GDP-SIP is to allow the alcohol sales element.

This is a highly unusual application of the PUD zoning provisions. The statement of purpose contained in the ordinance says that

“Planned Unit Development Districts are established to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the City of Madison by allowing for greater freedom, imagination and flexibility in the development of land while ensuring substantial compliance with the basic intent of the Zoning Code and the general plan for community development.”

The Plan Commission and Common Council are accustomed to approving a wide variety of Planned Unit Development zoning map amendments. This is the only time that a PUD is being submitted only to enable the sale of alcoholic beverages on a site that has otherwise met all the provisions of the ordinance (including Plan Commission approval of a conditional use in the R6 zoning district).

The applicant clearly indicated in the material provided for the conditional use permit in 2005 that they were seeking approval of liquor sales as part of this proposal, noting in the letter of intent that they” intend to stop serving alcohol at 10:00 p.m. but will be seeking a liquor license until closing time.” This language was also contained in the analysis portion of the Planning Unit staff report.

RECOMMENDATIONS:

The Planning Unit recommends that the Plan Commission consider the applicant’s presentation at the Plan Commission, as well as any input from the neighborhood to determine whether the ordinance standards are met. Given that the Plan Commission determined, through the conditional use process, that this land use is appropriate at this location, Staff do not object to a zoning map amendment allowing this use. This is one method to address the oversight by City staff in not alerting the applicant that the R6 zoning did not permit liquor sales as part of the proposed restaurant.



Department of Planning & Development
Planning Unit

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June 23, 2005

Navin Jarugumilli
18 Shepard Terrace
Madison, Wisconsin 537053

RE: Approval of a conditional use to allow an existing two-unit residential building to be remodeled to accommodate a restaurant in the lower level and the first floor, and three total apartment units located at 305 E. Johnson Street.

Dear Mr. Jarugumilli:

The Plan Commission, meeting in regular session on June 20, 2005, determined that the ordinance standards could be met and **approved** your request for a conditional use for the restaurant and additional dwelling unit. In order to receive final approval of the conditional use permit, the following conditions must be met:

Please contact Kathy Voeck, the Assistant Zoning Administrator, at (608) 266-4551 if you have questions regarding the following two items:

1. Section 28.08(7)(c)8 states that a restaurant is allowed as a conditional use in a multi-family building in the R6 provided the use shall be accessible to the public only through a lobby and no advertisement or display shall be visible from outside the building except an identification street graphic which complies with the regulations in Chapter 31 of the Madison General Ordinances and is approved by the Plan Commission at the time the use is approved or by the Director of Planning and Development as provided for in Section 28.12(a)(h)2. Note: The proposed entry vestibule will make this building comply with the above public entry requirement.
2. Provide five bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. Note: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following two items:

3. The Applicant shall replace all sidewalk and curb and gutter which abuts the property that is damaged by the construction or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
4. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final

14. 01450 Consideration of a conditional use for an outdoor eating area for UW events located at 1107-1111 Regent Street. 13th Ald. Dist.
Approval granted subject to the comments and conditions contained in the Plan Commission materials.
A motion was made by Lanier, seconded by Ald. Konkel, to Approve. The motion passed by acclamation.
Registered in support of the project and available to answer questions was Chad Koplien, 1 W Main Street, representing Hong Kong Cafe, the applicant.
15. 01451 Consideration of a demolition permit located at 3512 Gregory Street to demolish a single-family house and construct a new single family house. 10th Ald. Dist.
Approval granted subject to the comments and conditions contained in the Plan Commission materials.
A motion was made by Ald. Golden, seconded by Lanier, to Approve. The motion passed by the following vote:
Excused: 5- Cnare, Fey, Ohm, Davis, Boll and Ethington
Aye: 4- Golden, Thimmesch, Forster Rothbart and Lanier
No: 1- Konkel
Non Voting: 1- Bowser
Registered in support of the project and wishing to speak was Lucie Forbes, 3512 Gregory Street, the applicant.
16. 01452 Consideration of a demolition permit located at 3862 Johns Street to demolish a commercial building and construct a new retail building and contractors shop. 15th Ald. Dist.
Approval granted subject to the comments and conditions contained in the Plan Commission materials.
A motion was made by Ald. Konkel, seconded by Lanier, to Approve. The motion passed by acclamation.
Registered in support of the project and available to answer questions were Jim Oasen, 4525 Anniversary Lane, the applicant, and Steve Meier, Joe Daniels Construction Co., 919 Applegate Road, representing the applicant.
- ✓ 17. 01477 Consideration of a conditional use for a restaurant in R6 zoned building and the addition of a dwelling unit located at 305 East Johnson Street. 2nd Ald. Dist.
Approval granted subject to the comments and conditions contained in the Plan Commission materials and the following conditions:
-That the applicant submit a trash removal plan for staff approval.
-That the hours of operation for the restaurant end at 10 PM nightly.
A motion was made by Ald. Konkel, seconded by Forster Rothbart, to Approve. The motion passed by acclamation.

Speaking in support of the project was Mark Schmidt, 2040 Winnebago Street. Registered in support and available to answer questions was Navin Jarugumilli, 18 Shepard Terrace, the applicant. Speaking with concerns about the project was Danny Tzakis, 301 E Johnson Street. Registered in opposition but not wishing to speak were Scott Dorbert and Robert Klein, Jr., 305 E Johnson Street.

18. 01478

Consideration of a demolition permit to demolish a former nursing home and a conditional use for a temporary parking lot located at 1347 Fish Hatchery Road . 13th Ald. Dist.

Approval granted subject to the comments and conditions contained in the Plan Commission materials and the following condition:

-That, on a motion by Forster Rothbart and seconded by Ald. Konkel, the applicant work with staff to designate parking spaces within 50 feet of adjacent residential properties as no parking from 10 PM to 7 AM, Monday through Sunday. The motion passed by a vote of 3-2 (AYE: Bowser, Forster Rothbart and Konkel; NAY: Thimmesch and Lanier)

A motion was made by Thimmesch, seconded by Lanier, to Approve. The motion passed by acclamation.

Speaking in support or registered to speak in support of the project were: Mary Starmann-Harrison, 2901 Landmark Place #300; David H. Vogel, 1009 N Wingra Drive; Alan Schwoegler, 621 South Shore Drive, representing the Bay Creek Neighborhood Association; Christopher Thiel, Schriber Anderson Associates, 717 John Nolen Drive, and; Arnold Milke, 976 W Wingra Drive. Registered in support and available to answer questions were: Sharon McCabe, 1143 Emerald Street; Kevin Snitchler, Dean Health System, 1808 W Beltline Highway; Marilyn Biros, 613 Chatham Terrace; Steve Roth, 740 Regent Street; Bryant Walker Smith, Strand Associates, Inc., 910 W Wingra Drive; Gary Rothenbuehler, 742 Sky Ridge Drive, representing St. Mary's Hospital Medical Center, and; Joan Bachleitner, 1242 Spaight Street. Registered in support but not wishing to speak were: Joan Beglinger, 707 S Mills Street; Marlene Pechan, 3100 Lake Mendota Drive; Marsha Gahagan, 5677 Pennwall Street, Fitchburg; Paul Huemmer, 604 W Musket Ridge Drive; Barb Miller, 707 S Mills Street, and; Kevin Grohsilope, 707 S Mills Street.

Subdivisions19. 01344

Approving the final plat of Owl's Creek Subdivision located on Meinders Road. 16th Ald. Dist.

Approval recommended subject to the comments and conditions contained in the Plan Commission materials.

A motion was made by Lanier, seconded by Ald. Konkel, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER. The motion passed by the following vote:

Excused: 5 - Cnare, Fey, Ohm, Davis, Boll and Ethington

Aye: 4 - Konkel, Golden, Thimmesch and Lanier

No: 1 - Forster Rothbart

Non Voting: 1 - Bowser

Registered to speak in support of the project was Michael Lawton, 740 Regent Street, representing The Nelson Group, the applicant.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: July 1, 2006

To: Plan Commission
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 305 E. Johnson St, Old Market Bistro and Bakery

Present Zoning District: R-6

Proposed Use: Convert 1st floor residential and basement space into a restaurant, two 2-bdrm residential units on 2nd and 3rd floor.

Proposed Zoning District: PUD(GDP-SIP)

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. The plans shall be consistent. The plans show 2 –2bdrm units and the cover sheet of the plans shows 5 bdrms in the usable open space area. Make the cover sheet consistent with the plans.
2. Provide **four** bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
3. Provide a detailed landscape plan. Show species and sizes of landscape elements.
4. In the zoning text under signage include “Signage shall be approved by the Urban Design and Zoning.” Note: Sign permits must be issued by the Zoning Section of the Department of Planning and Development prior to sign installations.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	3,267 sq. ft. (existing)
Lot width	50'	33' (existing)
Usable open space	280 sq. ft.	544 sq. ft.
Front yard	20'	15' 4" (var. 5/12/05)
Side yards	Left 11', Right 11'	Left 3' 8", Right 3' (Var. '05)
Rear yard	30' Bldg; 24' cement deck	16' bldg; 11' 6" deck (var. 05)
Floor area ratio	2.0	1.6
Building height	---	4
Site Design	Required	Proposed
Number parking stalls	0 (Central Business District)	0
Accessible stalls	n/a	n/a
Loading	n/a	n/a
Number bike parking stalls	4	
Landscaping	As shown	adequate
Lighting	n/a	n/a

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the **R-6** district, because of the surrounding land uses.

AGENDA # 8

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: June 28, 2006
TITLE: 305 East Johnson Street – PUD(GDP-SIP), Restaurant/Bistro/Apartments. 2 nd Ald. Dist. (03826)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: June 28, 2006	ID NUMBER:

Members present were: Lou Host-Jablonski, Acting Chair; Ald. Noel Radomski, Lisa Geer, Bruce Woods, Michael Barrett, Todd Barnett, Robert March.

SUMMARY:

At its meeting of June 28, 2006, the Urban Design Commission **REFERRED CONSIDERATION** of a PUD(GDP-SIP) for a restaurant/bistro/apartments located at 305 East Johnson Street. Appearing on behalf of the project were Jeff Holm, Navin Jarugumilli and Mark Schmidt. In response to the Commission's previous review of the project, the modified plans featured the following:

- The front elevation retains the proportion of existing windows and glazing with stone sills to remain; maintaining the existing architectural character of the front façade, especially the brick patterning on the upper front elevation to remain with only the lower level (exposed basement level) to be redone.
- A new entry vestibule is provided which maintains a more consistent architectural character with the existing building façade on the lower basement level, main level and upper level with a combined tiered porch.
- All wood railing will use turn spindles and railings.
- Retained windows on the north elevation and will retain others if possible. If not, will infill with brick as previously proposed.

Following the presentation of the revised plans, the Commission expressed concerns on the following:

- Concerns were expressed about the screening of the upper HVAC unit adjacent to residential.
- Concerns about noise and appearance were expressed. The applicant was requested to investigate screening with a guard rail enclosure.
- Concerns were expressed about the extensive amount of hard surface necessary to accommodate handicapped access to the restaurant, as well as residences where the Commission noted with a previous project by the applicant (451-453 West Washington Avenue) a handicap accessible lift was provided which allowed the minimization of hard surface. The Commission noted that this project should consider other alternatives to minimize the amount of hard surface on the site. If because of building code issues a lift was not supported, the applicant shall bring back detailing of ramps and rails for further consideration.

- A discussion relevant to the lower level exposed foundation treatment. The Commission noted that stone on the front lower portion of the façade was favored which should wrap around the sides.

ACTION:

On a motion by Barnett, seconded by Woods, the Urban Design Commission **REFERRED** consideration of this item. The motion was passed on a vote of (7-0). The motion for referral required address of the following:

- Substantiate whether or not a handicap lift could be provided in lieu of an extensive ramping structure that would allow for the elimination of many of the hard surfaces on the redevelopment site.
- If a lift could not be provided by code or any other alternatives, detailing of the ramp and rails need to be provided relevant to its look and appearance.
- Provide an effective way of screening the upper level HVAC units or relocate to alternative areas, as well as deal with effective screening issues.
- Lighting photometrics and cut sheets shall be provided for review to the Commission.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 7, 7, 8 and 9.

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URBAN DESIGN COMMISSION PROJECT RATING FOR: 8202 Mid-Town Road

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	4	3	7	6	5	3	3	4
	7	7	8	-	-	-	7	7
	8	6	8	-	5	5	6	6
	7	7	7	6	-	7	7	7
	8	7	8	7	-	7	6	7
	-	6	-	-	-	-	-	6
	8	7	9	8	-	8	8	8

General Comments:

- Very bunker-like – it kills what should be a lively corner.
- Good overall LEEDS designed site and building.
- Corner improved. A nice facility.

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AGENDA # 9

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: June 7, 2006
TITLE: 305 East Johnson Street – PUD(GDP-SIP), Restaurant/Bistro/Apartments. 2 nd Ald. Dist. (03826)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: June 7, 2006	ID NUMBER:

Members present were: Paul Wagner, Chair; Ald. Noel Radomski, Lisa Geer, Michael Barrett, Todd Barnett, Robert March, Lou Host-Jablonski, Bruce Woods and Cathleen Feland.

SUMMARY:

At its meeting of June 7, 2006, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD(GDP-SIP) for a restaurant/bistro/apartments located at 305 East Johnson Street. Appearing on behalf of the project were Mark Schmidt, architect; Navin Jarugumilli, Jeff Holm and Ilse Hecht. The project provides for the renovation of an existing two-story masonry building located at 305 East Johnson Street constructed in 1899. The building previously contained a four bedroom apartment on the first floor and a three bedroom apartment on the second floor. It is proposed to renovate the structure to provide for its utilization as a mixed-use commercial/residential building. The renovation will convert the basement area and first floor area into a restaurant/tavern, including providing for handicapped accessible sidewalks and ramps. The new vestibule entrance will be provided on the front elevations of both the restaurant/tavern/commercial space and apartments on upper levels. The second and third floor levels will be renovated to provide for two 2-bedroom units, along with the expansion of a third floor dormer. Following the presentation of the plans, the Commission noted the following:

- Reexamine the proportions of modifying the length of the first floor front window openings, don't like the thinness and slimness with matching that of the proposed lower level basement window treatment. The loss of sills on the lower windows is problematic.
- The size of the lower level window treatment appears forced in with the introduction of glass block on both the lower level and first level out of character with the building.
- An issue with saving window near the front on the projecting bay not necessary to be infilled for fire concerns.
- Problem with the use of vinyl siding on addition; not appropriate.
- Issue with HVAC unit for restaurant on roof above deck; requires further attention.
- Ramps galore; consideration for elevator to reduce pavement, so much pavement on street side not a good streetscape.
- Project reflects a most creative adaptive reuse.
- Question the alternative use of glass block instead of brick to infill existing window openings to meet fire code.

- Want to keep the character of the existing front façade windows and treatment with maintaining existing punch openings.
- The use of glass block on front not appropriate.
- Consider reducing the head of the entry to allow for relocation of the proposed sign.
- Use of split-face concrete block veneer on the lower level and return wall should be reexamined with consideration for alternative masonry type stone or brick.

ACTION:

On a motion by March, seconded by Barrett, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a unanimous vote of (9-0). The motion required address of the above stated concerns with final consideration of the project.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5.5, 6, 6.5, 7, 7, 7, 8, 9 and 9.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 305 East Johnson Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	7	7	6	5	4	6	8	7
	7	7	-	-	-	6	7	7
	8	7	8	-	6	8	8	8
	5	5	5	-	-	6	7	6
	-	9	-	-	-	9	10	9.5
	9	9	8	9	8	10	10.5	9
	6	5	-	-	4	6	6	5.5
	-	-	-	-	-	-	-	7
	-	5	-	-	-	-	8	6.5

General Comments:

- Great reuse of old building.
- Composition of front elevation needs additional attention; otherwise looks great!
- Need to retain appearance of existing front windows. Would be nice if paint could be removed from brick on front.
- Nice reuse of an old building and a great amenity for the neighborhood.
- Beautiful! Very nice, creative, adaptive reuse and appropriate intensification of use for this neighborhood.
- Fine tune windows to complement exterior architecture. More detailed landscape plan required for final. Consider pervious pavers in lower patio.
- Nice reuse, not comfortable with series of ramps.
- Great idea; right location; architecture needs more work.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
.608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: May 31, 2006
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer *[Signature]*
SUBJECT: 305 East Johnson Street Planned Unit Development

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- 1. N/A

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 305 East Johnson Street Planned Unit Development

General

- 1.1 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.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 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.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements



- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use 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.
- 3.11 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.
- 3.12 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way.

The approval of this development does not constitute or guarantee approval of the encroachments.

- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, 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.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- a) Building Footprints

- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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.

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).

- 4.15 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.

Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable

deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

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PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
June 1, 2005

CONDITIONAL USE APPLICATION:

1. Requested Action: Approval to remodel an existing two-unit residential building to accommodate a restaurant in the lower level and the first floor, and three total apartment units located at 305 East Johnson Street.
2. Applicable Regulations: Section 28.08(5)(c)5 requires that the creation of additional dwelling units in an existing residential building must obtain a conditional use permit. Section 28.08(7)(c)8 requires that restaurants in multiple family buildings must obtain a conditional use permit.
3. Report Drafted By: Peter Olson, Planner II.

GENERAL INFORMATION:

1. Applicant: Navin Jarugumilli, 18 Shepard Terrace, Madison, WI 53705.
2. Status of Applicant: Property owner.
3. Development Schedule: The applicant anticipates commencing construction in late 2005. The applicant hopes to have the new restaurant and dwelling units available for occupancy in early 2006.
4. Parcel Location: One parcel northeast of the intersection of East Johnson Street with North Butler Street, Aldermanic District 2, Madison Metropolitan School District.
5. Parcel Size: 3,300 square feet.
6. Existing Zoning: R6 General Residence District.
7. Existing Land Use: Two-unit dwelling.
8. Proposed Use: Remodel existing building and construct a small addition to allow for a restaurant in the lower level and first floor and three apartment units.
9. Surrounding Land Use and Zoning: This property is surrounded by medium and high density residential uses and a mixture of offices, a grocery store and commercial service uses along the East Johnson Street, North Butler Street and North Hamilton Street rights-of-way, zoned R6, C1, C2 and PUD(SIP).
10. Adopted Land Use Plan: RH High Density Residential (41-60 dwelling units per acre).

11. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

PUBLIC UTILITIES AND SERVICES:

This property is served by a full range of urban services.

STANDARDS FOR REVIEW:

This application is subject to the conditional use standards.

ANALYSIS, EVALUATION AND CONCLUSION:

The applicant owns an existing two-story residential building located at 305 East Johnson Street. This structure currently contains two dwelling units with 7 total bedrooms. The lower level of this building is exposed slightly more than 4-½ feet. The applicant wishes to establish a restaurant in this lower level, part of which would also be located on the first floor. The applicant owns the subject property and will also operate the proposed restaurant. A one-bedroom apartment will be located in the rear of the first floor area. Two 2-bedroom apartments will be located on the second floor with bedrooms and bathrooms also located in the existing attic level. The proposed remodeling will result in three apartment units with a total of 5 bedrooms, which is less than the existing 7 bedrooms contained within this building.

The Zoning Code requires that additional dwelling units added to existing residential buildings must obtain a conditional use permit. Although the proposed remodeling of this structure will result in one additional dwelling unit, since the total number of bedrooms will be reduced from seven to five, it is likely that the intensity of residential use of this building will actually be reduced.

The R6 General Residence District allows restaurants to be established in residential buildings if the access to the restaurant area is from within the residential structure. This requirement will be followed by the proposed development. Due to the exposure of the lower level of this existing building, most of the restaurant will be constructed in the lower level. Access to the restaurant's entrance will be via a stairway down from the sidewalk level or an accessible ramp from the side and front of this building. The lower level will accommodate the kitchen, mechanical space, dining room with seating for 24 patrons and the restrooms. Seating for 17 additional patrons will be located on the first floor of this building. Two small additions will be constructed to support the proposed alterations. A new entry vestibule containing approximately 52 square feet will be added to the front right-hand corner of the building providing access to the restaurant and upper level dwelling units. A one-story addition at the lower level will also be constructed at the rear of the existing building and will contain approximately 308 square feet. The roof of this rear addition will serve as an entry to the rear stairwell serving the residential dwelling units and will also provide a patio/deck for private open space for the first floor apartment units. Second floor decks will provide private open space for the upper two apartment units. Ground level open space will continue to be provided in the rear yard area (see attached Zoning staff report for an evaluation of the Zoning requirements).

The subject property is located in an area along East Johnson Street with a number of offices and other commercial enterprises. The property adjacent on the southwest was constructed in 1964 and contains an insurance office and four apartment units. The property located adjacent on the northeast contains a 22-unit apartment building constructed in 1973. Both of these adjacent properties cover a substantial portion of their underlying lots. The apartment building adjacent on the northeast has a surface parking facility adjacent to the proposed restaurant location. Little of the proposed restaurant operation will be exposed to adjacent existing dwelling units. Most of the restaurant operation is within the lower level of the existing building and the windows are located along the front left portion of the lower level. That portion of the restaurant operation located on the first floor also primarily has windows in the front and northeasterly corner of this building. The new apartment on the first floor will be located in the rear right corner is adjacent to other surrounding residential buildings. The arrangement of the proposed interior space staff anticipates a minimum of inconvenience or negative effects on the existing surrounding development pattern.

The existing structure is currently provided with a 15.5-foot front yard setback and minimal side yard setbacks ranging from approximately 3 to 3-½ feet. No off-street parking stalls are currently provided for this existing residential building. No additional parking will be provided for the proposed development. The subject property is located in the Central Area, which has no specific off-street parking requirements. Staff anticipates that the majority of the patrons for the proposed restaurant will be nearby residents and will walk to this location or if driving will be able to park in the City's Capital Square North parking structure. Additional information regarding this development proposal can be found in the Zoning staff report and within the applicant's letter of intent (see attached letter dated April 13, 2005).

Staff believe that the applicant may be able to satisfy the conditional use standards with this development proposal. However, with this type of use located in close proximity to existing higher density residential uses, staff are somewhat concerned with the proposed hours of operation. The applicant's letter of intent indicates that they plan to serve food and drinks from 6:00 a.m. until 12:00 Midnight. The letter also indicates that the Old Marketplace Neighborhood Committee indicated a desire to have the restaurant stop serving alcohol at 10:00 p.m. The Plan Commission should listen carefully to the applicant and anyone testifying at the public hearing and then come to a decision on the hours of operation. In addition, staff would like some additional information on the design details for the changes to the front and rear façades and the proposed small additions. Staff believe that these details can be addressed through a condition of approval.

RECOMMENDATIONS:

The Planning Unit recommends that the Plan Commission find that the conditional use standards are met and approve the remodeling of an existing 2-unit residential building to accommodate a restaurant in the lower level and first floor, and three apartment units located at 305 East Johnson Street, subject to input at the public hearing and the following:

1. Reviewing agency comments.

2. The applicant shall submit final detailed plans for all exterior alterations to the existing building including the proposed additions showing design details and building materials for staff review and approval. The applicant shall pay particular attention to the incorporation and use of the predominant materials on the existing building. The final railing detail and landscaping plan shall be reviewed and approved by Planning Unit staff.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: May 21, 2005

To: Bill Roberts, Planner III
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 305 E. Johnson St.

Present Zoning District: R-6

Proposed Use: Convert existing use (one 4 bdrm unit and one 3 bdrm unit) into one 1 bdrm accessible unit on 1st floor, two 2 bdrm units on 2nd and 3rd floor, and commercial restaurant on the other half of 1st floor and the ground floor.

Conditional Use: 28.08(7)(c)8. A restaurant in a multiple-family dwelling is a conditional use with conditions as stated in No. 1 below:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project).

GENERAL OR STANDARD REVIEW COMMENTS

1. Section 28.08(7)(c)8 states that a restaurant is allowed as a conditional use in a multi-family building in the R-6 provided the use shall be accessible to the public only through a lobby and no advertisement or display shall be visible from outside the building except an identification street graphic which complies with the regulations in Chapter 31 of the Madison General Ordinances and is approved by the Plan Commission at the time the use is approved or by the Director of Planning and Development as provided for in Section 28.12(a)(h)2. Note: The proposed entry vestibule will make this building comply with the above public entry requirement.
2. Provide five bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	3,465 sq. ft. (Same req. as previous use)	3,267 sq. ft. (grandfathered)
Lot width	50'	33' (existing)
Usable open space	350 s.f. (prev. use req. 490 sf)	663
Front yard	20'	15' 4" Var. app. 5/12/05
Side yards	11' each side	3' & 3' 8" Var. app 5/12/05
Rear yard	24' deck, 30' bldg. addn.	11'6' deck, 16' bldg. addn. Var. approved 5/12/05
Floor area ratio	2.0	1.66
Building height	--	4 stories

Site Design	Required	Proposed
Number parking stalls	0 (Central Business Distr)	0
Accessible stalls	n/a	n/a
Loading	n/a	n/a
Number bike parking stalls	3 residential use (3 units) 2 restaurant use (cap. 46) 5 total	Note: If not in central bus. distr. 14 car stalls would be req. for the restaurant (2)
Landscaping	n/a	n/a
Lighting	n/a	n/a

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

April 13, 2005

S0402

Land Use Application
Madison Plan Commission
215 Martin Luther King Jr. Blvd
Madison, WI 53701-2985

Knapp
Schmidt
Architects
LLC Profit by Design

Letter of Intent

For renovations to 305 East Johnson Street, Madison, WI.

Existing Conditions

305 E. Johnson Street is owned by Navin and Barbara Jarugumilli, 2354 Commonwealth Ave, Madison, WI 53711, telephone number 608-213-7170.

The existing two-story building at 305 East Johnson Street, constructed in 1899, has most recently been used for residential apartments. Last occupancy was a four-bedroom apartment on the first floor and a three-bedroom apartment on the second floor. The building is wood frame with a brick veneer.

The site is 33'x 100' = 3,300sf. The basement, first floor, and second floor are all 1,329 sf. With the existing third floor of 396 sf, the total existing floor area is 4,383 sf.

There are no parking spaces on this property. The existing building has a two story mixed use commercial and residential building to the southwest and a two story residential apartment building to the northeast. The rear of the lot is adjacent to parking areas of other residential buildings.

Proposed Use

Commercial Use: The proposed renovation of the building is to convert the basement area and one-half of the first floor into a restaurant. The existing basement floor is one-half of a story below the existing sidewalk. New handicap-accessible sidewalk ramps will connect the street sidewalk to the lower level floor. A new vestibule will be constructed to provide an entrance to both the new commercial space and the apartments. A ground floor addition will be constructed behind the existing building to provide new toilet rooms, mechanical, and utility space.

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Residential Use: A wheel-chair-accessible sidewalk will also be constructed along the northeast side of the building to reach the first floor (1) bedroom handicap-accessible residential unit. The ground floor addition will provide an exterior usable deck space for the first floor unit.

The second and third floors will be renovated to provide two (2) bedroom units. An existing third floor dormer is planned for expansion to provide better stair headroom and mechanical space.

The resulting usable areas are;

Ground Floor Commercial Space	1,689 sf
First Floor Commercial and Residential Space	1,329 sf
Second Floor Residential Space	1,329 sf
Third Floor Residential Space	<u>747 sf</u>
Total Building Floor Area	5, 396 sf

Other Considerations

The existing building is located less than five feet from the side property boundaries. Although this condition may continue if the building does not change, a major renovation will require review and approval from the building department. Building code variances may be necessary regarding fire protection of the existing window openings. Installation of an automatic sprinkler system may be part of the final construction plans.

No parking is possible on the existing site.

Development Schedule

Upon approval, it is anticipated that construction would be initiated late in the year 2005, and completed in early 2006.

Development Team

The General Contractor has not been selected.

The restaurant will be; Old Marketplace Bistro
Business Owners and Manager will be:
Navin and Barbara Jarugumilli and Peter Sullivan

The restaurant is planning to serve food and drinks from 6:00 am to 12:00 pm. Discussion with the Old Marketplace Neighborhood Committee indicated their desire that the serving of alcohol will stop at 10:00 pm, but the operators wish to apply for a liquor license until the close time. The maximum capacity of the restaurant will be approximately 53 patrons and 6 employees. The restaurant gross area is 2,181 sf.