

PLANNING DIVISION STAFF REPORT

October 24, 2022



PREPARED FOR THE PLAN COMMISSION

Project Address: 117-125 North Butler Street (District 2 – Alder Heck)

Application Type: Demolition Permit, Zoning Map Amendment, Conditional Use, Certified Survey Map

Legistar File ID # [73363](#), [73643](#), [73364](#), [73373](#)

Prepared By: Lisa McNabola, Planning Division
Report includes comments from other City agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner
Heather Stouder, AICP, Planning Division Director

Summary

Owner: Jean Fischer; 107 North Hancock Street, Madison, WI 53705

Applicant: Reese Fischer; 137 North Franklin Street, Apt. 2, Madison, WI 53703

Contact: Marc Schellpfeffer; CaS4 Architecture; 4414 Regent Street, Suite 102, Madison, WI 53705

Requested Actions:

- ID [73363](#) – Consideration of a demolition permit to demolish three residential buildings located at 117, 123 and 125 North Butler Street;
- ID [73643](#) – Consideration of a zoning map amendment to change the zoning for 117, 119, 123 and 125 North Butler Street from DR-1 (Downtown Residential 1) District to DR-2 (Downtown Residential 2) District;
- ID [73364](#) – Consideration of a conditional use in the DR-2 District for a multi-family dwelling with more than eight (8) dwelling units;
- ID [73373](#) – Consideration of a Certified Survey Map (CSM) to create one lot for the proposed multi-family building.

Proposal Summary: The applicant is seeking approvals to demolish three residential buildings to construct a four-story residential building with 32 dwelling units on a single lot to be created by CSM.

Applicable Regulations & Standards: Standards of approval for demolition permits are found in §28.185(6) M.G.O. Standards for zoning map amendments are found in §28.182(6) M.G.O. Standards for conditional use approvals are found in §28.183(6) M.G.O. The conditional use is subject to Supplemental Regulations found in §28.151 M.G.O. Standards for certified survey maps are found in §16.23(5) M.G.O.

Review Required By: Plan Commission, Common Council (Zoning Map Amendment and CSM)

Summary Recommendations: The Planning Division recommends the following to the Plan Commission regarding the applications for 117-125 North Butler Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the standards for demolition permits met and approve the demolition permit to demolish three residential buildings at 117, 123 and 125 North Butler Street;
- If the Plan Commission can find the standard for zoning map amendment standards met, then the Planning Division recommends the Commission forward Zoning Map Amendment Section 28.022-00591

to change the zoning of properties located at 117-125 North Butler Street from DR-1 (Downtown Residential 1) District to DR-2 (Downtown Residential 2) District, and the associated CSM creating one lot to the Common Council with a recommendation of approval;

- If the Plan Commission can find the standards for conditional use approvals met, then the Planning Division recommends the Commission approve the request to construct a multi-family dwelling with 32 dwelling units in the DR-2 District at 117-125 North Butler Street.

In the alternative, should the Commission not find the standards met, then the various requests should be placed on file without prejudice or recommended to be placed on file without prejudice. The action of the Plan Commission should provide findings of fact that list the standard(s) that have not been met and the reasons such standard(s) were not met.

Background Information

Parcel Location: The subject site includes four existing parcels totaling 15,246 square feet (.35-acres) located along North Butler Street between East Johnson Street and East Mifflin Street. The site is within Alder District 2 (Alder Heck) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site, zoned DR-1 (Downtown Residential 1) District, includes four parcels. The two-unit residential building at 117 North Butler Street was built in 1894. The property at 119 North Butler Street is vacant. The four-unit residential building at 123 North Butler Street was built in 1938. The two-unit residential building at 125 North Butler Street was built in 1874.

Surrounding Land Uses and Zoning:

North: Three-unit residential building, zoned DR-1 (Downtown Residential 1) District;

East: Single family, two-unit and four-unit residential buildings, zoned DR-1 District; a 22-unit residential building, zoned DR-1 District;

South: Three-unit residential building, zoned DR-1 District; and

West: Across North Butler Street; three-unit residential building, zoned DR-1 District; City of Madison parking garage, zoned UMX (Urban Mixed Use) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends MR (Medium Residential) for the site. The [Downtown Plan](#) (2012) recommends Predominant Residential for the site. The [Report of the Lamp House Ad Hoc Plan Committee](#) (2014), which was adopted as a supplement to the Downtown Plan, recommends four stories for the site.

Zoning Summary: The subject property is proposed to be zoned DR-2 (Downtown Residential 2) District:

Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	15,368 sq. ft.
Lot Width	40' for 4-unit buildings and higher and for non-residential and mixed-use buildings	115.46'
Front Yard Setback	10'	15.11'
Side Yard Setback	5'	5.51' south side yard 5.17' north side yard
Rear Yard Setback	Lesser of 20% lot depth or 20'	20.90'

Usable Open Space	20 sq. ft. per bedroom (820 sq. ft.)	Adequate (6)
Maximum Lot Coverage	80%	59%
Minimum Building Height	2 stories	4 stories
Maximum Building Height: See Downtown Height Map	4 stories	4 stories (3)
Stepbacks: See Downtown Stepback Map	None	None

Site Design	Required	Proposed
Number Parking Stalls	Not required: Central Area	24 auto stalls 4 moped stalls (8)
Accessible Stalls	Yes	1 (7)
Loading	Not required	None
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (32) 1 guest space per 10 units (3) (35 total)	32 garage 4 surface (36 total)
Landscaping and Screening	Yes	Yes (9)
Lighting	Yes	Yes
Building Forms	Yes	Large multi-family building (4)(10)(11)

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services.

Project History and Previous Approvals

The subject site has gone through many City review processes, starting in 2007 with a rezoning of the property to the Planned Unit Development (PUD) District, and subsequently, the approval of a General Development Plan (GDP) (ID [06572](#)) and Specific Implementation Plan (SIP) (ID [10860](#)). At this time a Certified Survey Map (CSM) was approved by the Common Council to combine the 119-125 North Butler Street and the 120-124 North Hancock Street properties, however this CSM was never recorded (ID [12370](#)). The corresponding demolitions of 123 and 125 North Butler Street were also approved at this time. These aspects of the proposal never proceeded, and therefore the approvals have expired. Prior to their expiration, alterations to those requests, including the moving of the residence at 119 North Butler, were approved in 2009 (ID [15413](#)). The property at 119 North Butler is currently vacant. As part of the Zoning Code 2013 re-write, the subject properties were zoned into the DR-1 (Downtown Residential-1) District, consistent with the rest of the block.

In 2017, the applicant requested conditional use approval to construct a 44-unit residential building as part of a residential building complex that included the two existing two-family residences at 120-124 North Hancock Street. The applicant also requested re-approval of the demolitions of the two buildings (123 and 125 North Butler Street) that were approved in 2007 (ID [44569](#)). The Plan Commission did not find that the Conditional Use Standards were met and voted to place the demolition permit and conditional use requests on file without prejudice. In placing this matter on file, the Plan Commission specifically stated that Conditional Use Standards #4 and #9 were not met due to the depth of the building along North Butler Street, which was inconsistent with the development pattern on the rest of the block; the concern about creating a precedent for development on the

rest of the subject block; and the width of the proposed building, which members of the Commission stated needed greater articulation of the front façade.

In 2018, the applicant requested demolition and conditional use approval to construct a 31-unit residential building at 119-125 North Butler Street (ID [51768](#)). This proposal did not include the properties at 120-124 North Hancock Street. The Plan Commission conditionally approved the demolition and conditional use request. This project did not move forward.

Project Description

The applicant is seeking approval of a demolition permit to demolish three residential buildings. The applicant is also seeking approval of a zoning map amendment from the DR-1 (Downtown Residential 1) District to DR-2 (Downtown Residential 2) District, and a conditional use to construct a four-story residential building with 32 units at 117-125 North Butler Street. A certified survey map (CSM) creating one lot accompanies the land use application.

The applicant proposes to demolish three residential buildings. A link to the [provided photos](#) is available under the demolition legislative file. There is a two-unit residential building at 117 North Butler Street built in 1894, a four-unit residential building at 123 North Butler Street built in 1938, and a two-unit residential building at 125 North Butler Street built in 1874. The building at 119 North Butler Street was relocated and the site is currently vacant.

The CSM would combine four lots into one, resulting in a lot that is approximately 115 feet wide and 133 feet in depth.

The front setback ranges from 15.1 feet to 19.7 feet. The garage entrance is setback approximately 22 feet and the court is setback approximately 34 feet. The side setbacks are 5.1 feet and 5.5 feet, and the rear setback is 20.9 feet. The building is 104.8 feet wide.

The proposed unit mix includes four studio units, 19 one bedroom units, and 9 two bedroom units. An elevated main entrance and ramp face North Butler Street. There is one walk-up unit at the south end of the building. The parking garage entrance is located at the north end of the building. The underground parking accommodates 24 vehicle stalls and four moped stalls. There are 32 indoor bicycle stalls and four outdoor bicycle stalls.

There is an open space with a patio in the rear yard and a rooftop amenity space on the north side of the building. The plans show a pergola on the rooftop. Per the zoning conditions the pergola shall be removed because it is considered a structure and exceeds the four-story height limit. Each unit has a private balcony. The first floor balconies at the rear of the building are located above the partially exposed underground parking structure.

Primary façade materials include a red-brown brick veneer and dark brown composite lap siding. Per the zoning conditions the composite lap siding on the first floor will have to be removed as wood and fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material. This will result in design changes to the exterior of the building. A sandblasted site-cast concrete block is used as a secondary façade material on the first floor. A light brown composite lap siding is used as a secondary material on the upper floors. Stone cap sills and “soldier course” brick veneer are used for architectural detailing. The projecting balconies on the front façade are supported by a composite clad wood column with a trellis structure above two of the fourth floor balconies.

Landscaping along the frontage include a mix of grasses, perennials, and deciduous shrubs, and two deciduous trees. Landscaping in the rear yard includes a mix of grasses, perennials, deciduous shrubs, two deciduous trees and one ornamental tree. Along the western edge there are deciduous and evergreen shrubs, and along the eastern edge there is a paved path and concrete steppers leading to the open space at the rear.

Analysis & Conclusion

This request is subject to the standards for zoning map amendments, demolition permits, conditional uses, and certified survey maps. This section begins with a summary of adopted plan recommendations, followed by demolition permit standards, zoning map amendment standards, conditional use standards, land division standards, and finally a conclusion.

Conformance with Adopted Plans

The Comprehensive Plan recommends MR (Medium Residential) for the site. MR areas may include a variety of relatively intense housing types, including row houses, small multifamily buildings, and large multifamily buildings. The plan further notes that special attention must be paid to design within MR areas where the use adjoins less intense residential development – architectural features such as a stepback may be needed to transition MR development to less intense surrounding development. In general, development in MR areas is recommended for 20-90 dwelling units per acre (du/ac), and is recommended to occur in two- to five-story buildings. The proposed density of 91.4 du/ac is just above the recommended density range. The proposed four-story height is consistent with this plan.

The Comprehensive Plan acknowledges that special area plans may assign more specific uses, intensities, or forms at a specific location and that if an inconsistency is identified between this Plan and a reasonably contemporary sub-area plan, substantial weight should be given to the sub-area plan. Staff considers the Downtown Plan to be a contemporary sub-area plan frequently referenced when evaluating proposals in the Downtown area.

The Downtown Plan (“the Plan”) recommends Predominant Residential as the generalized future land use. The proposed development complies with the Downtown Height Map, which specifies a maximum building height of four stories in this area.

Per the Plan, the site is also located in the James Madison Park Neighborhood planning area, which is characterized by fairly intact blocks of two- to three-story residential structures. Objective 4.11 and supporting recommendations 101-106 pertain specifically to the subject area. The page pertaining to the James Madison Park neighborhood is included as an attachment to this report.

Objective 4.11 states, “The James Madison Park neighborhood should accommodate a mix of dwelling units, some of which are suitable for families with children. The renovation of existing houses coupled with selective redevelopment that generally reflects the scale and rhythm of existing structures should help reinvigorate the area, provide a variety of housing options (including workforce housing), and strengthen linkages to the adjacent Tenney-Lapham neighborhood.”

Two specific recommendations address redevelopment in the neighborhood:

- Recommendation 104 states, “The Plan recommends allowing relatively higher density development that conforms to the Maximum Building Heights Maps along North Hamilton, Butler, and Gorham Streets.”
- Recommendation 105 states, “The plan also recommends allowing redevelopment along Hancock,

Franklin, and Blair streets generally compatible in scale and design with the predominantly “house like” neighborhood character.”

In their letter of intent the applicant notes that Recommendations 104 and 105 “delineate the scale of redevelopment and its location through the overall neighborhood,” suggesting that higher density development is suitable along North Butler Street.

In regards to Recommendation 104, the term “relatively higher density development” is not defined. Considering the Plan’s references to reflecting the existing scale and rhythm, staff do not conclude that this statement, by itself, definitively recommends that more intensive zoning be established among the largely contiguous area of DR-1 zoned properties. As an additional clarification, colleagues who worked directly on this plan indicated that the original intent of this recommendation was to address specific redevelopment in the block bounded by North Hamilton, Butler, and Gorham Streets, north of the subject site.

On the other hand, staff acknowledges that Recommendation 105 provides somewhat more specificity beyond the language in the overarching objective. Here, references to “scale and rhythm” specify where the “predominantly house like neighborhood character” should be maintained. That recommendation specifically pertains to Hancock, Franklin, and Blair Streets and not the subject site. Staff believes that it could be argued that if a larger apartment building form could be allowed in this neighborhood, this would be among the streets in which a larger building form could be allowed.

The Report of the Lamp House Ad Hoc Plan Committee, which was adopted as a supplement to the Downtown Plan, recommends four stories for the site. The report also recommends that any proposals for buildings above four stories in the James Madison Park Neighborhood that lie within the Lamp House’s Lake Mendota view shed should be studied for their impact on the lake views from the house. Although it is a four-story building there is a rooftop amenity space that will have an elevator overrun and vestibule. The applicant has provided a view shed study to show the impact of the rooftop elements on the lake views from the house. The study shows an elevation of 936.17 feet for the parapet of the third floor balcony of the Lamp House and an elevation of 927.67 feet for the elevator overrun. It appears that the rooftop structures are not anticipated to impact the lake views from the house.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

Staff note that Demolition permits were previously approved in 2007 and 2018 for the buildings at 123 and 125 North Butler Street. Staff note that those demolitions were not reviewed under the current development standards. The building at 117 North Butler Street was not included in previous requests.

The Planning Division believes that the standards for Demolition Permits can be met, but provides the following comments. In regards to standard 1, the applicant notes that the size and condition of the structures, and the cost to raise utility lines make relocation cost prohibitive. The applicant is open to considering a request from a third

party to relocate the structure at their own cost and in a timeframe that does not impact the construction start date.

In regards to standard 4, at its August 15, 2022 meeting, the Landmarks Commission found that the buildings at 117 and 123 North Butler Street have historic value related to the vernacular context of Madison's built environment, but the buildings themselves are not historically, architecturally, or culturally significant. The Commission found that the building at 125 North Butler Street has no known historic value.

In regards to standard 6, staff notes that while some exterior photos have been provided which depict some possible issues, the actual deficiencies are not clearly noted in the submitted application materials.

Zoning Map Amendment Standards

This proposal includes a request to change the zoning from the DR-1 (Downtown Residential 1) District to the DR-2 (Downtown Residential 2) District. Staff believes that this is a significant policy consideration and that actions on this request may establish precedents that could be applied to similar requests in other portions of the James Madison Park neighborhood.

DR-1 and DR-2 are similar zoning districts with one notable difference. In the DR-1 District there is a maximum building width of 60 feet, whereas the DR-2 District does not have a maximum building width standard. Per the Zoning Code, the downtown residential districts are intended to, among other things, "ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of scale and rhythm, building placement, facade width, height and proportions, garage and driveway placement, landscaping and similar design features." As a reference, with the proposed zoning, the proposed building has a width of 104.8 feet.

The subject site is located mid-block within a continuous DR-1-zoned area. While the northern-end of this block is recommended as a possible mixed-use node, this site is not. The DR-1 zoning district was originally recommended by staff based on adopted plan recommendations and the existing development pattern. Such Zoning was also utilized in portions of the Mansion Hill and First Settlement neighborhoods, which unlike James Madison Park, are also local historic districts. Other Downtown neighborhoods west of the Capitol Square include the more flexible DR-2 District.

The Zoning Map Amendment standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

Staff cannot definitively conclude that the standards for Zoning Map Amendments can be found met. Plan Consistency considerations are discussed above. While staff believes that the proposed DR-2 zoning district is generally consistent with the underlying Medium Residential (MR) land use recommendation, staff does not believe that more intensive zoning is clearly supported in the Downtown Plan for this area, which includes multiple references to reflecting the existing scale and rhythm. Should the limited references to more intensive development be found adequate to ultimately support the approval of this rezoning, staff encourages the Plan Commission to make site-specific findings differentiating this request from other portions of the neighborhood. This may include street-specific recommendations in the plan or locational factors including the appropriateness

of this zoning in relationship to larger structures such as the existing parking ramp which is partially across from the subject site.

Conditional Use Standards

The applicant is requesting approval of a conditional use for a multifamily building with more than eight dwelling units. The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

As noted above, staff believes that the proposal could generally be found consistent with the underlying land use recommendation in the Comprehensive Plan. As noted above, staff's primary concern is plan consistency with the Downtown Plan which calls for selective redevelopment that reflects the scale and rhythm of existing structures.

The Planning Division provides the following discussion on Standard 9, and believes the other standards can be found met. Standard 9 states, *"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 recommendation."*

Staff notes that the development would not be possible unless DR-2 District zoning is approved, which would allow the building width to exceed 60 feet. While not required under DR-2 zoning, the applicant has included a small courtyard at the front of the building, intended to break up the massing. Notwithstanding the fundamental policy discussion regarding the allowance for a wider building, staff encouraged the applicant to consider increasing the depth and width of the courtyard and increasing the setback of the garage. In response, the applicant increased the setback of the garage to what is presented on the current plans.

Plan Commission should consider how the material palette and composition contribute to the scale and rhythm of the building. Primary façade materials include a red-brown brick veneer and dark brown composite lap siding. Per the zoning conditions the composite lap siding on the first floor will have to be removed as wood and fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material. This will result in design changes to the exterior of the building. A sandblasted site-cast concrete block is used as a secondary façade material on the first floor. A light brown composite lap siding is used as a secondary material on the upper floors. Stone cap sills and "soldier course" brick veneer are used for architectural detailing. The projecting balconies on the front façade are supported by a composite clad wood column with a trellis structure above two of the fourth floor balconies.

The Report of the Lamp House Ad Hoc Plan Committee recommends four stories for the site, and that buildings above four stories should be studied for their impact on the lake views from the house. Although it is a four-story building there is a rooftop amenity space that will have a structure for an elevator overrun and vestibule. The view shed study provided by the applicant shows that the rooftop structures are not anticipated to impact the lake views from the house. On balance staff believe the proposed development meets the intent of the report.

Supplemental Regulations

The Supplemental Regulations do not apply to the proposed development.

Land Division

The applicant has submitted a certified survey map to create one lot. Should the related requests be found met, Staff believes that all applicable standards for land divisions can be found met.

Conclusion

The applicant is seeking approvals to demolish three residential buildings to construct a four-story residential building with 32 dwelling units on a single lot. There have been multiple redevelopment proposals contemplated for this site, with the most recent approved in 2018. Compared to that development, the applicant has expanded the overall redevelopment area by including an additional property.

Staff believes that the proposed development, in particular the proposed Zoning Map amendment to the DR-2 Zoning district, represents a significant policy decision for the Plan Commission and ultimately the Common Council. The most significant impact of the zoning change would be to allow buildings that exceed 60 feet in width within an area where this is currently not allowed.

While staff believes that the resulting development could be found consistent with the underlying land use recommendations in the Comprehensive Plan for Medium Residential development, staff have raised questions on whether this development proposal is consistent with the more specific considerations noted in the Downtown Plan.

Staff cannot definitively conclude that the standards for Zoning Map Amendments can be found met. Staff advises that if the Commission is able to find the standards met, specific, site-specific findings are included. This may include street-specific references as noted in the plan or locational factors including the appropriateness of this zoning in relationship to larger structures such as the existing parking ramp, which is partially across from the subject site.

In regards to other approvals, staff believes that on-balance, the Demolition standards can be found met. Additionally, if the rezoning standards can be found met, staff believes that the related Conditional Use and Land Division standards can be found met.

Recommendation

Planning Division Recommendations (Contact Lisa McNabola, 243-0554)

The Planning Division recommends the following to the Plan Commission regarding the applications for 117-125 North Butler Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

- That the Plan Commission find the standards for demolition permits met and approve the demolition permit to demolish three residential buildings at 117, 123 and 125 North Butler Street;
- If the Plan Commission can find the standard for zoning map amendment standards met, then the Planning Division recommends the Commission forward Zoning Map Amendment Section 28.022-00591

to change the zoning of properties located at 117-125 North Butler Street from DR-1 (Downtown Residential 1) District to DR-2 (Downtown Residential 2) District, and the associated CSM creating one lot to the Common Council with a recommendation of approval;

- If the Plan Commission can find the standards for conditional use approvals met, then the Planning Division recommends the Commission should approve the request to construct a multi-family dwelling with 32 dwelling units in the DR-2 District at 117-125 North Butler Street.

In the alternative, should the Commission not find the standards met, then the various requests should be placed on file without prejudice or recommended to be placed on file without prejudice. The action of the Plan Commission should provide findings of fact that list the standard(s) that have not been met and the reasons such standard(s) were not met.

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

Land Use Request – Zoning Map Amendment, Demolition Permit, Conditional Uses

Planning Division (Contact Lisa McNabola, 243-0554)

1. No HVAC “wall-pack” penetrations/louvers are shown on the street-facing facades. Unless specifically approved by the Plan Commission, the addition of wall packs on outward-facing walls is not included in this approval and will require approval of an alteration to this conditional use should they be approved at a later time.
2. Per the zoning conditions the applicant shall eliminate the composite lap siding from the ground floor elevations. Wood and fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material. The Planning Division shall approve the updated building elevations.

Zoning (Contact Jenny Kirchgatter, 266-4429)

3. Remove the pergola from the rooftop terrace. The maximum building height is four (4) stories. The pergola structure exceeds the 4 story maximum height limit.
4. Eliminate the composite lap siding from the ground floor elevations. Wood and fiber cement panels shall not be used on the ground story except between the sidewalk and the bottom of storefront windows or as an accent material.

5. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
6. Update the Usable Open Space exhibit to remove the areas within the side yard setback that are less than 8 feet wide and the at-grade areas less than 200 sq. ft. in area. Usable open space located at ground level

shall be in a compact area of not less than two hundred (200) square feet, with no dimension less than eight (8) feet and no slope grade greater than ten percent (10%). Usable open space shall be located outside of the required front yard setback. Usable open space shall not include areas occupied by buildings, driveways, drive aisles, off-street parking, paving and sidewalks, except that paved paths no wider than five (5) feet and pervious pavement may be included as usable open space.

7. Parking requirements for persons with disabilities must comply with MGO Section 28.141(4)(e) which includes all applicable State accessible requirements. The van accessible stall shall be striped per State requirements. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access area adjacent.
8. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the residential parking stalls (2 stalls) must be electric vehicle ready. Identify the locations of the electric vehicle ready stalls on the plans.
9. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
10. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
11. Provide details showing that the street-facing façade meets the door and window opening requirements of Section 28.071(3)(e). For street-facing facades with ground story residential uses, ground story openings shall comprise a minimum of fifteen percent (15%) of the façade area. Upper story openings shall comprise a minimum of fifteen (15%) of the façade area per story.
12. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
13. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Engineering Division (Tim Troester, 267-1995)

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| 14. All storm sewer discharge shall be directed to the ROW not to the back yard and onto other private property. |
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15. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at

<http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit a deposit to cover estimated City expenses will be required.

16. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
17. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
18. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
19. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
20. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
21. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
22. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
23. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
24. The proposed development proposes to construct underground parking. The proposed entrance to the underground parking is adjacent to a street low point. The applicant shall provide at a minimum of one (1) foot of rise from the adjacent back of walk in the driveway before breaking grade to the down ramp to the underground parking to protect the underground parking from inundation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
25. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.

26. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
27. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
28. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control Redevelopment: By design detain the 10-year post construction design storm such that the peak discharge during this event is reduced 15% compared to the peak discharge from the 10-year design storm in the existing condition of the site. Further, the volumetric discharge leaving the post development site in the 10- year storm event shall be reduced by 5% compared to the volumetric discharge from the site in an existing condition during the 10-year storm event. These required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

Forestry Division (Bradley Hofmann, 267-4908)

29. All An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apperatus and street tree plan sets. The inventory shall include the following: location, size (diamater at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
30. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
31. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
32. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
33. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
34. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.

35. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
36. The Developer shall post a security deposit prior to the start of the development to be collected by City Engineering as part of the Developers Agreement. In the event that street trees are damaged during the construction process, City Forestry will draw from this deposit for damages incurred.

Traffic Engineering Division (Sean Malloy, 266-5987)

37. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
38. 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.
39. 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.
40. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
41. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
42. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
43. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
44. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually

impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

45. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
46. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Andrew Oliver, (267-1979, aoliver@cityofmadison.com) Traffic Engineering Shop, 4151 Nakoosa Trail. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
47. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
48. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
49. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
50. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
51. The proposed driveway may not encroach across the northerly property line, including the 5' driveway flares. The location of the driveway in relation to the existing property line shall be shown and noted on the plan.

Fire Department (William Sullivan, 886-4691)

52. Provide aerial access lanes for buildings over 30-ft in height.
53. MFD does not support grills located in close proximity to combustible construction, including overhead pergolas without fire sprinkler protection.
54. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at jtlarson@cityofmadison.com or (608) 266- 5946.

Parks Division (Ann Freiwald, 243-2848)

55. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 22031 when contacting Parks about this project.

Water Utility (Jeff Belshaw, 261-9835)

56. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
57. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Engineering Division – Mapping Section (Julius Smith, 264-9276)

58. The address of the proposed apartment is 121 N Butler St.
59. 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.
60. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
61. Submit a site plan and a complete building Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan of each floor level on a separate sheet/page for the development of a complete interior addressing plan. Also, include a unit matrix for apartment buildings.

The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) PRIOR to the verification submittal stage of this LNDUSE with Zoning. The final approved stamped Addressing Plan shall be included in said Site Plan Verification application materials or a revised plan shall provided for additional review and approval by Engineering.

Per 34.505 MGO, a full copy of the approved addressing plan shall be kept at the building site at all times during construction until final inspection by the Madison Fire Department.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved.

The following agencies reviewed the request and recommended no conditions of approval: Metro Transit

Land Use Request

Engineering Division – Mapping Section (Julius Smith, 264-9276)

1. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction or early start permit.
2. Madison Revise the note regarding the Access Easement per Doc. No. 1674243 adding text that the easement is extinguished per the Doctrine of Title Merger with common ownership of the benefitting lands.
3. Remove Note 1 on sheet 2. There are not any underlying drainage easements of record.
4. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jeff Quamme, City Engineering (jrquamme@cityofmadison.com)
5. Prior to Engineering final sign-off by main office for Plats or Certified Survey Maps (CSM), the final Plat or CSM in pdf format must be submitted by email transmittal to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com) for final technical review and approval. This submittal must occur a minimum of two working days prior to final Engineering Division sign-off.
6. In note 8 on sheet 2 there is text that is very thin to greyscale that needs to be changed to be bolder.
7. The Owner's Certificates have text "dedication and mapping" that should be revised to read "dedicated and mapped".
8. The legal description under the Surveyor's Certificate shall after commencing at the section corner it shall proceed to the monumented meander corner and then continue from there. Also the course of N46-04-04E shall be revised to N46-04-03E to match the map. Lastly provide calls to the northeasterly lines of the lots and to the right of way of N. Butler Street when following those lines.
9. Submit to Jeff Quamme, prior to Engineering sign-off of the subject plat, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work, preferably closed polylines for lot lines, shall be void of gaps and overlaps and match the final recorded plat:
 - a. Right-of-Way lines (public and private)
 - b. Lot lines

- c. Lot numbers
- d. Lot/Plat dimensions
- e. Street names
- f. Easement lines (i.e. all shown on the plat including wetland & floodplain boundaries.)

NOTE: This Transmittal is a separate requirement from the required Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data for any changes subsequent to any submittal.

Engineering Division (Tim Troester, 267-1995)

- 10. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
- 11. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm contact either Tim Troester (West) at 261-1995 (ttroester@cityofmadison.com) or Brenda Stanley (East) at 608-261-9127 (bstanley@cityofmadison.com) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service and must be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)

Parks Division (Ann Freiwald, 243-2848)

- 12. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the North Park-Infrastructure Impact Fee district. Please reference ID# 22031 when contacting Parks
- 13. The following note should be included on the CSM: "LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED."
- 14. The Parks Division shall be required to sign off on this CSM.

The following agencies reviewed the request and recommended no conditions of approval: Fire Department, Forestry Division, Metro Transit

James Madison Park Recommendations

Objective 4.11: *The James Madison Park neighborhood should accommodate a mix of dwelling units, some of which are suitable for families with children. The renovation of existing houses coupled with selective redevelopment that generally reflects the scale and rhythm of the existing structures should help reinvigorate the area, provide a variety of housing options (including workforce housing), and strengthen linkages to the adjacent Tenney-Lapham neighborhood.*

Recommendation 101: *Promote the construction and rehabilitation of family-supportive housing and consider adopting an ordinance with standards for such development.*

Recommendation 102: *Require that new development provide ample on-site open space and play areas for use by young children, and do not waive usable open space requirements in the James Madison Park District.*

Recommendation 103: *Encourage family-supportive workforce housing design in new multi-family developments, including more modern, larger units (2-3 bedrooms) and true usable on-site open space.*

Recommendation 104: *Allow relatively higher-density development that conforms to the Maximum Building Heights Map along North Hamilton, Butler and Gorham Streets.*

Recommendation 105: *Allow infill and redevelopment along Hancock, Franklin and Blair Streets generally compatible in scale and design with the predominantly “house like” neighborhood character.*

Recommendation 106: *Consider establishing a Neighborhood Conservation District as identified in the Downtown Historic Preservation Plan.*

■ James Madison Park

The James Madison Park neighborhood is characterized by fairly intact blocks of two- to three-story houses. Many of these houses have been long time rental properties and include larger units that would accommodate families with children.

The renovation of existing structures, coupled with selective redevelopment that reflects the scale and rhythm of the existing structures, will help ensure the future vibrancy of the area, provide a variety of housing options, and strengthen linkages to the adjacent Tenney-Lapham and Mansion Hill neighborhoods. During the planning process, many participants expressed a desire to create Downtown neighborhoods that were inviting to families with children. With its proximity to Lapham Elementary School, presence of houses that could accommodate such families,

and a large park (James Madison Park), this neighborhood provides the best opportunity to foster this type of environment. The *Downtown Historic Preservation Plan* (1998) recommends that a neighborhood conservation area be created, “wherein the existing residential character of the core of the neighborhood would be preserved and encroachment by incompatible uses will be prevented.” A neighborhood conservation district is a tool provided in the Zoning Ordinance to help ensure that important, unique, and consistent development patterns and design features (such as setbacks, roof forms, or the presence of large front porches) within the neighborhood are conserved. The first step in implementing this recommendation would be a study to articulate the specific characteristics of the neighborhood to be preserved. The Fourth Lake Ridge National Register Historic District runs along portions of East Gorham Street.



Scenes from James Madison Park