



Report to the Plan Commission

February 20, 2012

Legistar I.D. #25021 & 25149
202-206 N. Brooks Street
PUD Rezoning & Demolition Permit

Report Prepared By:
Timothy M. Parks, Planner
Planning Division Staff

Requested Action: Approval of a request to rezone 202-206 N. Brooks Street from R5 (General Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of two existing residential buildings and construction of a five-story, 14-unit apartment building.

Applicable Regulations & Standards: Section 28.12(10) provides the process for zoning map amendments; Section 28.07(6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3582 & 3583, rezoning 202-206 N. Brooks Street from R5 (General Residence District) to PUD-GDP-SIP (Planned Unit Development, General Development Plan/Specific Implementation Plan), to the Common Council with a recommendation that the application be **placed on file without prejudice** due to the project's inconsistency with the land use and urban design recommendations contained in the Regent Street–South Campus Neighborhood Plan. A more thorough analysis of the proposed development versus the applicable plan recommendations follows. Staff also recommends that the related demolition permit should also be **placed on file without prejudice**.

Background Information

Applicants & Property Owners: Joseph McCormick, JD McCormick Company, LLC; 101 N. Mills Street; Madison and Dennis Catterson, 1714 Lewon Drive; Madison.

Agent: Joseph Lee, JLA Architects & Planners; 5325 Wall Street; Madison.

Proposal: The applicants propose to demolish 2 existing residential buildings containing a total of 6 dwelling units to allow construction of a five-story, 14-unit apartment building. Construction is scheduled to commence once all regulatory approvals have been granted, with completion approximately one year later.

Parcel Location: A 4,752 square-foot property (0.11 acres) located at the northwestern corner of N. Brooks and W. Dayton streets; Aldermanic District 8 (Resnick); Madison Metropolitan School District.

Existing Conditions: The subject site is comprised of two parcels each developed with a three-unit apartment building, zoned R5 (General Residence District).

Surrounding Land Use and Zoning: The two residences are located on a block that is otherwise owned by the University of Wisconsin–Madison, with the exception of a privately owned single-family residence located at 1014 W. Dayton Street. The University facilities on the block include the Teacher Education and Educational Sciences complex located on the northern and western edges of the block,

Lot 92, and two vacant University-owned parcels located immediately north and west of the subject site. The block is zoned R5 (General Residence District). The subject site is located across W. Dayton Street from the Dayton House Apartments, zoned PUD-SIP, and across N. Brooks Street from a series of single-family and multi-family residences owned by the University and private interests, zoned R5.

Adopted Land Use Plans: The Comprehensive Plan generally identifies the subject site and nearby surrounding properties north of Regent Street and east of N. Orchard Street as part of the University of Wisconsin Campus. Residential uses such as the building proposed are identified among the myriad uses identified within the “Campus” designation that are intended to serve the educational institution.

The Regent Street–South Campus Neighborhood Plan identifies the future land use of the subject site and the rest of the block bounded by W. Dayton Street on the south, N. Brooks Street on the east, W. Johnson Street on the north and N. Mills Street on the west in the University “academic/ research” category. The Plan references the University of Wisconsin’s Campus Master Plan, which includes a placeholder for an addition to the Educational Services Building and includes a note indicating that new uses not allowed under the existing zoning should be granted only when consistent with the Regent Street–South Campus Neighborhood Plan.

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

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

Zoning Summary: The site is currently zoned R5 (General Residence District) and will be rezoned PUD-GDP-SIP with this request, which will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Utility Easements, Barrier Free
No:	Urban Design, Wellhead Protection, Landmarks, Floodplain, Waterfront Development
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

Project Review

The applicants are requesting approval of a request to rezone two parcels totaling 4,752 square feet of land located at the northwestern corner of N. Brooks and W. Dayton streets from R5 (General Residence District) to PUD-GDP-SIP to allow construction of an 5-story, 14-unit apartment building, which will replace two existing residential buildings containing three dwelling units each. Materials submitted with the application indicate that both wood-framed residences were constructed in 1905, and that each building includes 2 three-bedroom units and 1 two-bedroom unit. Both buildings are sided with a combination of vinyl and wood and include porches across the front of the first and second floors facing N. Brooks Street.

The two residences are located at the southeastern corner of the block bounded by W. Dayton Street on the south, N. Brooks Street on the east, W. Johnson Street on the north and N. Mills Street on the west. With the exception of a privately owned single-family residence located at 1014 W. Dayton Street and the subject site, the block is otherwise owned by the University of Wisconsin–Madison. The University facilities on the block include the Teacher Education and Educational Sciences complex located on the northern and western edges of the block, and Lot 92, which is 30-stall permit lot located along the N. Brooks Street frontage. The subject site is bounded on the north and west by two vacant University-owned parcels. The entire block is zoned R5 (General Residence District).

The subject site is located across W. Dayton Street from the Dayton House Apartments, zoned PUD-SIP, and across N. Brooks Street from a series of single-family and multi-family residences in R5 zoning, which are owned by the University or by private interests. The Charter Street Heating Plant is located 500 feet to the west of the site at the southwestern corner of N. Mills and W. Dayton streets.

The proposed 5-story, 14-unit apartment building will largely be built to the property lines and occupy nearly 100 percent of the subject site. The new building will include a combination of two-, three-, four-, and five-bedroom apartments on floors 1-5, with a total of 45 bedrooms proposed. The 3 apartments on the fifth floor of the building will include lofts located above. Each of the proposed units will include a patio or balcony. The primary pedestrian entrance to the building will be located at the northeastern corner facing N. Brooks Street. Parking for 45 bicycles or mopeds will be provided in a partial basement, with the access to the under-building parking area provided from a garage door from W. Dayton Street. A second garage door located at the northeastern corner of the building adjacent to the primary pedestrian entrance will provide access to utility meters and garbage storage. No automobile parking or loading is proposed with the project.

The proposed apartment building will feature a modern architectural aesthetic and will be constructed with a combination of masonry and either metal or composite siding panels. The building will stand 60 feet above W. Dayton Street as measured to the top of the parapet.

Analysis

The applicant is requesting approval of Planned Unit Development zoning to allow 2 residences located at the northwestern corner of N. Brooks and W. Dayton streets to be razed to allow a new 5-story, 14-unit apartment building to be built on the 0.11-acre site. The proposed building cannot be built in the existing R5 zoning and requires PUD zoning in order to proceed. The proposed development would not meet the lot area, useable open space, parking, and required front, side and rear yards of the R5 district, and would also greatly exceed the 3-story/ 40-foot maximum building height.

The Comprehensive Plan identifies the subject site and surrounding area generally extending north of Regent Street between N. Orchard Street and N. Frances Street for uses related to the University of Wisconsin campus. Among the uses identified within the Campus designation in the Comprehensive Plan are student, faculty and employee housing, with no density range specified. The 14 dwelling units proposed to be built on the 0.11-acre site will result in a net density of 127.3 units per acre, while the 45 proposed bedrooms will result in a density of 409 bedrooms per acre.

In reviewing projects developed in the downtown and campus area since 1990, the densest development to date is The Embassy Apartments located at 505 University Avenue (at N. Bassett Street), which was developed in 2001 with a net density of 315.9 units per acre (126 units on 0.4 acres). Of the projects that have been developed since 1990 in the south campus area, which generally extends from and includes University Avenue on the north, N. Frances Street on the east, N. Randall Avenue on the west and Regent Street on the south, project densities have ranged widely from 53.8 to 247 units per acre. Examples of residential density in similar student-oriented campus-area projects reviewed recently include a density of 174.7 units per acre at 1214 Spring Street, 128 units an acre at 621 Mendota Court, 97 units an acre at 229 W. Lakelawn Place, and 155 units an acre at 4 N. Park Street (corner of Regent Street). Bedrooms per acre have also varied widely, with bedroom densities ranging from 200-800 per acre in these projects.

Staff believes that the proposed residential development can generally be found to be consistent with the land uses recommended in the Campus designation in the Comprehensive Plan, especially in light of there not being more specific density recommendations in the Regent Street–South Campus Neighborhood Plan, which also governs the subject site.

However, the proposed use of the subject site for residential purposes is inconsistent with the land use recommendations contained in the Regent Street–South Campus Neighborhood Plan, which was adopted in 2008 to provide more detailed neighborhood-level planning for the area roughly bounded by Monroe Street and N. Randall Avenue on the west, W. Johnson Street on the north, East Campus Mall on the east and the south side of Regent Street on the south. That plan identifies the future land use of the subject site in the “academic/ research” category and references the University of Wisconsin’s 2005 Campus Master Plan, which identifies the future construction of an addition to the adjacent Educational Services Building for the subject site. The adopted Regent Street–South Campus Neighborhood Plan includes language that new uses not allowed under existing zoning be approved only when consistent with the plan. Without exception, the plan recommends that the properties located between W. Dayton and W. Johnson streets from N. Randall Avenue to N. Park Street be developed with University academic/ research facilities or student/ faculty service facilities. High-density residential development is recommended for two areas of the planning area located south of W. Dayton Street, including the site of the Dayton House Apartments located directly across W. Dayton Street from the subject site.

The Regent Street–South Campus Neighborhood Plan acknowledges a certain amount of fluidity along the edges between the student housing areas and University-dominated areas and suggests that it may not be inappropriate for a non-University use to be approved in an area generally shown in the plan for future University uses. However, the University has submitted written opposition to the proposed residential development, and spoke in opposition to the project at the January 30, 2012 Joint Southeast Campus Area Committee meeting and the February 1, 2012 Urban Design Commission meeting, where the project was discussed. In all of their statements about the proposed residential development, UW staff has cited the project’s inconsistency with the land use recommendations in both the neighborhood plan and the Campus Master Plan (which was not adopted by the City). Gary Brown, University Director of Campus Planning, indicates that the School of Education is in the early stages of discussing its needs on the subject block, but that no specific plans for the future addition have been developed, nor is the facility in the University’s six-year capital plan.

The University’s position on the applicant’s proposed residential development stands in stark contrast to its position on a 2010 rezoning request to allow development of an eight-story, 75-unit apartment at 1208-1214 Spring Street. Similar to the proposed development for the subject site, the Regent Street–South Campus Neighborhood Plan recommended that the block bounded by Spring Street, N. Charter Street, W. Dayton Street and N. Orchard Street where the 75-unit apartment project was proposed be developed with future University academic/ research uses. However, in that case Mr. Brown noted that while the Campus Master Plan called for an academic facility on the Spring Street property, he noted that the University did not plan to acquire that site and expand onto that portion of that block in the long-term (the University owns and has developed the northern half of that block with various University facilities.).

Following its discussion on the project, members of the Joint Southeast Campus Area Committee agreed that the circumstances of applicant’s proposal were indicative of what the Plan Commission may need to deal with several times in the future in areas near the campus boundary. The Committee moved to recommend that “the Plan Commission understand the dilemma surrounding this property as an example of a much larger issue involving privately owned property within boundaries established by the UW Campus Master Plan.” The Committee provided no recommendation for or against the applicant’s proposal, but viewed the Plan Commission’s decision as a potential precedent for other

similar proposals in the future. Draft minutes of the January 30, 2012 meeting are attached, which contain more detailed discussion regarding the proposed residential development.

In reviewing the 14-unit apartment development proposed for the subject site, the Planning Division believes that the Plan Commission should give careful consideration to the University's opposition to the project given the land uses recommended in the Regent Street–South Campus Neighborhood Plan as well as the University's Campus Master Plan, which, while not adopted by the City, was used to inform some of the recommendations contained in the City-adopted neighborhood plan.

In addition to the land use recommendations discussed above, the Regent Street–South Campus Neighborhood Plan is also a form-based plan that includes detailed recommendations on building height, character and massing throughout the planning area. The neighborhood plan recommends that building heights of up to 12 stories and 172 feet be allowed in the University-focused area bounded by W. Dayton Street, N. Park Street, W. Johnson Street and N. Randall Avenue to blend future developments in the area with existing primarily University buildings of a similar scale and mass. The plan also notes that the 12-story height allowance would also allow the University to achieve increased demands for floor area on the increasingly landlocked campus. The five-story, 60-foot height of the proposed building is generally consistent with these height recommendations, especially in light of the relatively small subject parcel.

The proposed building, however, is not consistent with the setbacks recommended in the plan along N. Brooks and W. Dayton streets, or with recommendation that a 15-foot setback be provided above the third floor along the N. Brooks Street facade. As noted in the preceding section, the proposed building will largely be constructed to the property lines, with a setback of approximately 1 foot along most of the two street facades. Portions of the loft space above the fifth floor will be stepped back 5 feet from the southern and eastern facades, which is less than the 15-foot setback recommended by the neighborhood plan, and two floors above where such setbacks are recommended to occur.

The Urban Design Commission reviewed the proposed planned unit development on January 4, 2012 and recommended initial approval (see attached report). Final approval of the project will be required if the proposed planned unit development and demolition permit are approved by the Plan Commission and Common Council.

Conclusion

At this time, the Planning Division does not believe that it can support the proposed rezoning of the subject site from R5 General Residence District zoning to Planned Unit Development zoning or the related demolition permit to allow development of a five-story, 14-unit apartment building.

As with any rezoning, the Plan Commission shall not recommend the adoption of a proposed zoning map amendment unless it finds that the proposed rezoning is "in the public interest and is not solely for the interest of the applicant, and shall not recommend a proposed amendment without due recognition of the master plan of the City." In addition, 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 "further or does not contradict the objectives, goals and policies contained in the comprehensive plan."

Also, as a basis for determining the acceptability of a planned unit development, the Zoning Code requires that the criteria contained in Section 28.07(6)(f) be applied with specific consideration as to

whether or not the proposed planned unit development “is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design.” In reviewing the proposed planned unit development, the Planning Division believes that the Plan Commission should give greatest consideration to criteria 1a and 1b, which address the character and intensity of the land uses and their intensity in a planned unit development district, and require that their appearance and arrangement be of a visual and operational character which is “compatible with the physical nature of the site or area” (criteria 1a) and “would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the [Comprehensive] plan.” (criteria 1b)

Although the proposed use of the site is generally consistent with the broader recommendations for the Campus district in the Comprehensive Plan, which include student, faculty and employee housing as recommended land uses, the Comprehensive Plan also generally defers to the more-detailed land use and urban design recommendations included in adopted neighborhood or sub-area plans. As noted in the preceding section, the proposed use of the site for residential purposes is inconsistent with the land uses recommended for the subject site and other nearby properties north of W. Dayton Street in the Regent Street–South Campus Neighborhood Plan, which identifies the future land use of the subject site in the “academic/ research” category. The neighborhood plan references the University of Wisconsin’s 2005 Campus Master Plan, which identifies the future construction of an addition to the adjacent Educational Services Building for the subject site. While it was not adopted by the City, the Campus Master Plan was used to inform some of the recommendations contained in the City-adopted Regent Street–South Campus Neighborhood Plan. The adopted neighborhood plan includes language that new uses not allowed under existing zoning be approved only when consistent with the plan.

While it appears that the University’s specific development plans for the subject site may best be described as being in their formative stages, Planning staff believes that it would be premature to deviate from the Regent Street–South Campus Neighborhood Plan’s land use recommendations for this block only four years after adoption of the plan.

In addition, the proposed development does not conform to the urban design recommendations contained in the Regent Street–South Campus Neighborhood Plan. As noted in the preceding section, the proposed five-story apartment building does not conform with the neighborhood plan recommendations for a 10-foot building setback along N. Brooks and W. Dayton streets, or the 15-foot stepbacks recommended above the third floor along the N. Brooks Street façade.

Finally, while staff believes that the proposed alternative use of the property will be more economically productive than the existing residences, staff does not believe that the related demolition permit should be approved due to the inconsistency between the proposed use and adopted neighborhood plan.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3582 & 3583, rezoning 202-206 N. Brooks Street from R5 (General Residence District) to PUD-GDP-SIP (Planned Unit Development, General Development Plan/Specific Implementation Plan), to the Common Council with a recommendation that the application be **placed on file without prejudice** due to the project’s inconsistency with the land use and urban design recommendations contained in the

Regent Street–South Campus Neighborhood Plan. The related demolition permit should also be **placed on file without prejudice**.

Should the Plan Commission wish to recommend approval of the proposed Planned Unit Development zoning and approve the related demolition permit, staff recommends that those approvals be subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That the zoning text be revised per Planning Division approval prior to recording and the issuance of demolition or building permits as follows:
 - 1a. the list of permitted uses shall be revised to only state: “Multi-family residential uses as shown on the approved plans and accessory uses directly associated with those permitted uses”;
 - 1b. the conditional use section and list shall be removed;
 - 1c. signage for the project shall be limited to the maximum permitted in the R5 zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator;
 - 1c. all references to “as shown on submitted plans” shall be revised to “as shown on approved plans”;
 - 1d. the “Building Height,” “Floor Area Ratio,” “Yard Requirements,” and “Usable Open Space” sections shall be revised to simply state “As shown on approved plans”;
 - 1e. a family definition shall be added to reference the R5 zoning district, and to further state that there shall only be one tenant allowed per bedroom.
2. That the specific implementation plan be revised per Planning Division approval prior to final signoff and the issuance of demolition or building permits to provide all of the plan information required for a specific implementation plan, including but not limited to the following items:
 - 2a. provide a fully dimensioned site plan that includes typical setback dimensions from all property lines; the site plan should clearly show the boundaries of the two parcels comprising the PUD;
 - 2b. revise the floorplans to clearly identify the unit types and to identify/label the bathrooms and bedrooms in each unit; all four- and five-bedroom units and at least 50% of the three-bedroom units shall have a minimum of two full bathrooms.
3. That one bike parking stall be provided for each bedroom in the development. The first 14 bike parking stalls shall be provided as required by the Section 28.11 of the Zoning Ordinance as approved by the Zoning Administrator, with the remaining stalls to be provided as approved by Planning and Zoning staff.
4. No moped parking shall be allowed in the W. Dayton Street or N. Brooks Street rights of way or in any yard; signs to this effect shall be posted on the street facades of the building, with the final size and content of the signs and the locations where they will be placed included in the final PUD plans.
5. That the project receive final approval from the Urban Design Commission prior to final approval of the PUD for recording and the issuance of demolition or building permits.

The following conditions have been submitted by reviewing agencies:

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

6. The note on the plan indicates existing survey dates back to 2002. Please provide updated survey information and incorporate into all site grading and utility plans and the locations of all existing terrace trees.

7. State building codes do not allow new buildings to be constructed over existing platted lot lines unless fire walls are put in place. This proposed development shall have a one-lot CSM recorded to eliminate the underlying platted lot line. Updated property Address-Parcel-Owner land record data shall be made available in various city databases prior to the issuance of foundation or building permits for the new proposed building.
8. Elevations of entrances shall be provided for City Engineering Division review. These elevations shall be a minimum of 0.5 feet above adjacent sidewalk.
9. The applicant shall show the sanitary lateral size on the plan set. If the lateral is 6-inches in diameter, applicant shall revise plan to connect to sanitary main on West Dayton Street.
10. The unit numbers shown on the plan are approved and shall be used as the apartment addresses.
11. The construction of this development 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.
12. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
13. The approval of this PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
14. 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.
15. The applicant shall replace all sidewalk and curb and gutter that 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.
16. 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.
17. A City-licensed contractor shall perform all work in the public right of way.

18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl, of the Parks Division - dkahl@cityofmadison.com or 266-4816.
19. All damage to the pavement on N. Brooks Street and W. Dayton Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
20. 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.
21. For commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Wisconsin Department of Commerce and Department of Natural Resources. As this project is on a site with disturbance area less than 1 acre, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
22. 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.
23. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
24. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
25. The area adjacent to this proposed development has a known flooding risk. All entrances shall be 0.5-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.
26. 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.
27. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.

28. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
29. Prior to approval of the issuance of a demolition permit, 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.
30. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

31. A condition of approval shall be that no residential parking permits shall be issued for 202-206 N. Brooks Street, as would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the restriction in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit a copy of the lease for the 202-206 N. Brooks Street project noting the above condition in the lease when submitting plans for City approval.
32. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.
33. The applicant will need to enter into a developer's agreement to widen W. Dayton Street to adequately serve the development. Currently this section of W. Dayton Street is narrower than other sections and does not have a left-turn lane to safely and adequately serve the development and proposed driveway(s).
34. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
35. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
36. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

37. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

38. Please revise the zoning text as follows:

- a.) delete #2 in section C;
- b.) revise section F to read "Shall be as shown on approved plans";
- c.) revise section H to make the dimension for motorized scooters spaces 36 inches by 72 inches, and amend all associated plans to show spaces of that size.

Parks Division (Contact Kay Rutledge, 266-4714)

39. The developer shall pay \$18,079.36 in park dedication and development fees for 14 multi-family units, which is the remaining amount due after a credit is given for the 6 existing multi-family units. Fees in lieu of dedication=(14units@\$1,631)=\$22,834.00; Park development fees=(14 units@\$628.92)=\$8804.88, for a total park impact fee before credit of \$31,638.88. Credits for 6 existing multi-family units = \$13,559.52. The developer must select a method for payment of park fees before signoff on the rezoning. This development is located within the Vilas-Brittingham (SI27) park impact fee district.

Fire Department (Contact Scott Strassburg, 261-9843)

40. Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Please consider allowing the Madison Fire Department to conduct training sequences in the buildings prior to demolition. Please contact the MFD Training Division at 246-4587 to discuss this possibility.

41. Emergency responder radio coverage per IFC 510 may be required; please plan accordingly.

Water Utility (Contact Dennis Cawley, 261-9243)

42. The Madison Water Utility shall be notified to remove the water meters prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this project.