

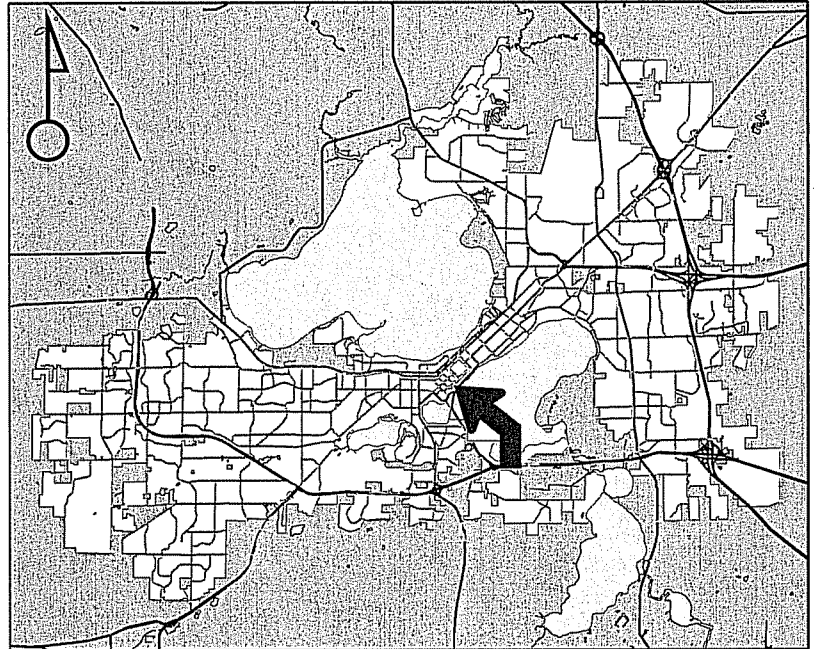


Location
403 West Doty Street

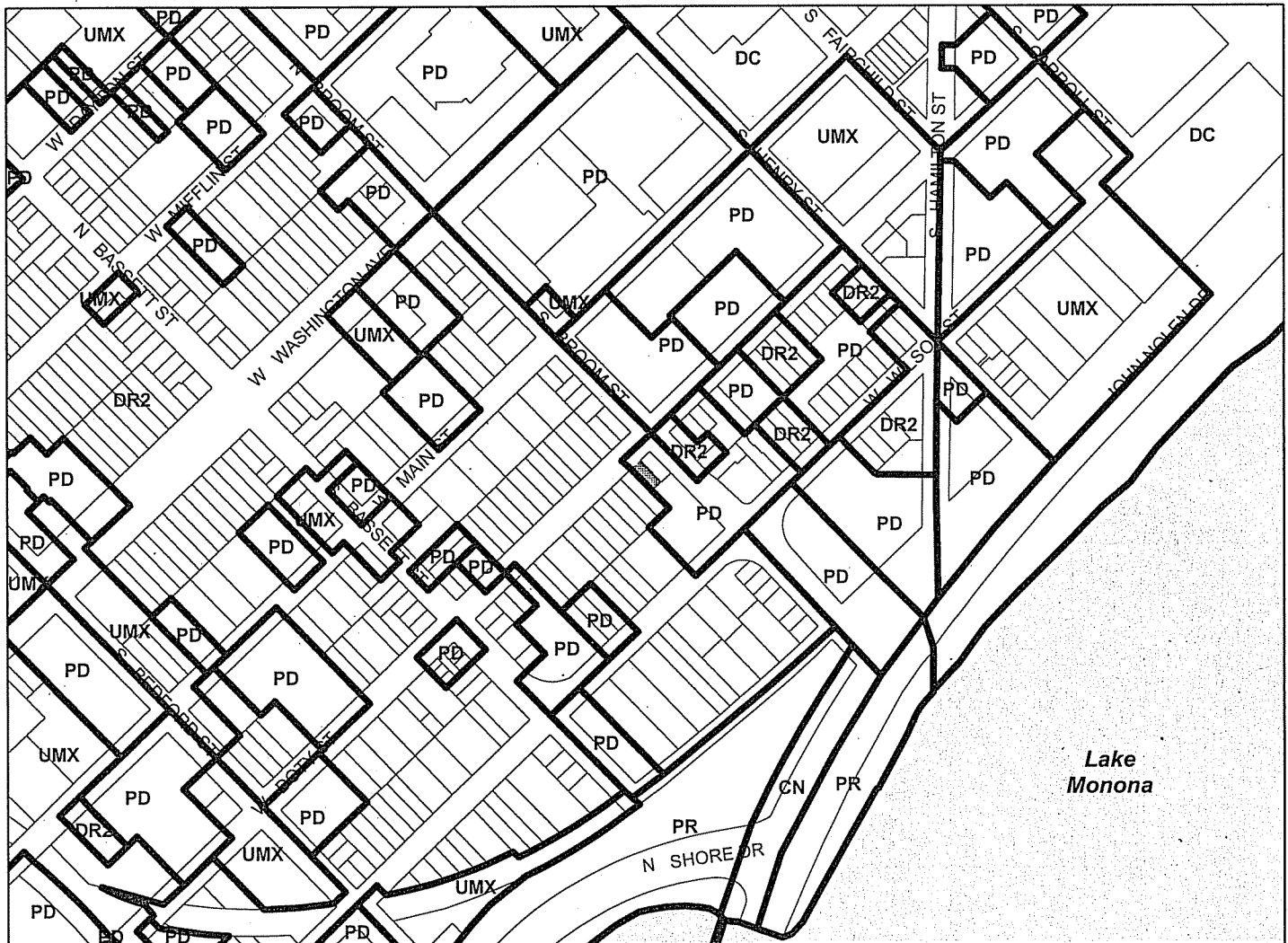
Applicant
Levi Funk

Proposed Use
Amend PD-SIP to approve an existing front yard parking space

Public Hearing Date
Plan Commission
21 September 2015

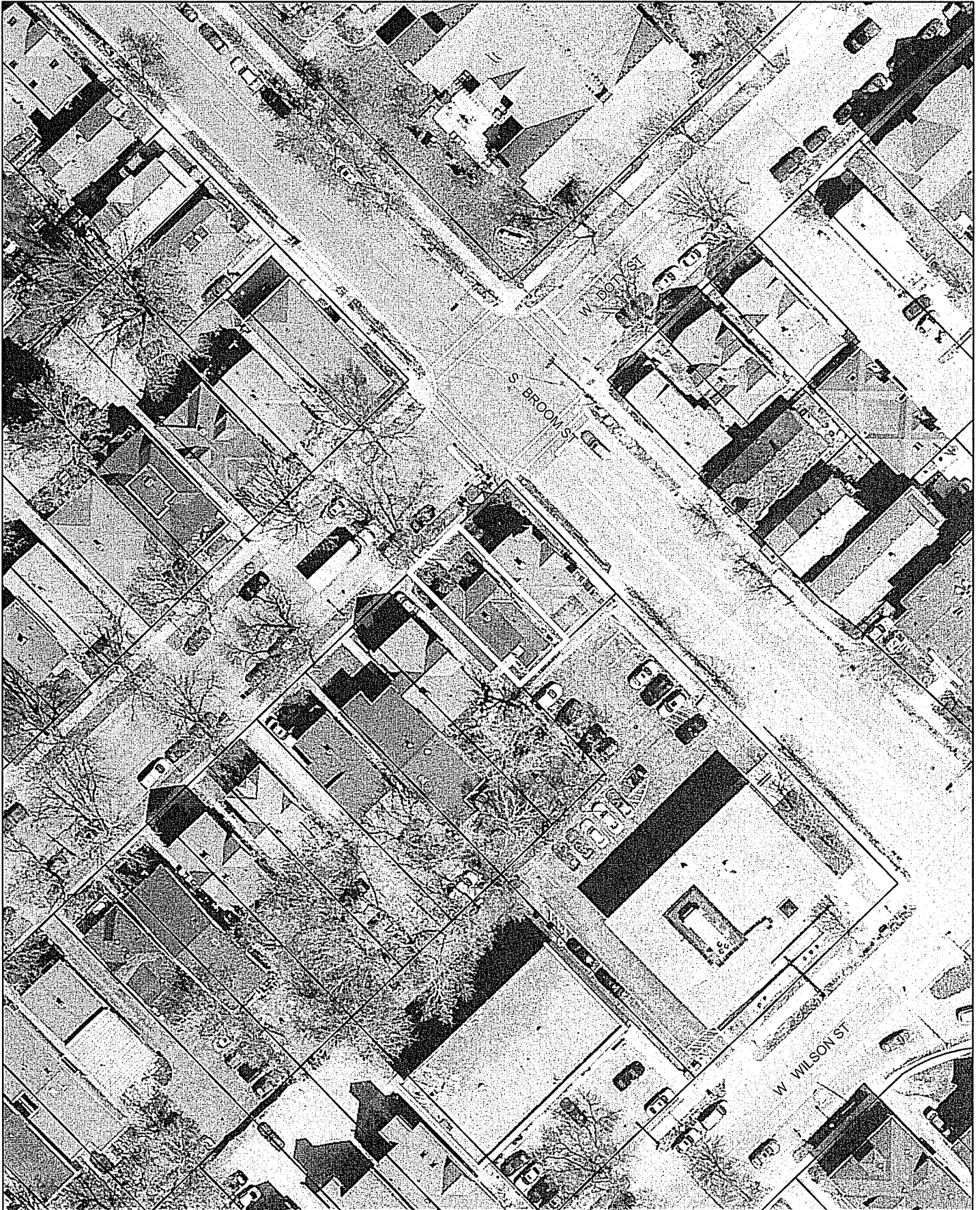


For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 14 September 2015





Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

August 3, 2015

Levi Funk
403 W. Doty Street #1
Madison, Wisconsin 53703

RE: Approval of an alteration to an approved Planned Development-Specific Implementation Plan for 403 W. Doty Street to allow a front yard parking space for an existing residence.

Dear Mr. Funk;

At its July 27, 2015 meeting, the Plan Commission **approved** your PD-SIP alteration for 403 W. Doty Street subject to the following conditions of approval, which shall be satisfied prior to legal use of the front yard parking space:

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following fifteen (15) items:

1. The parking stall dimension is not accurate. The maximum length of stall that is available to the property line would be 18.5 feet. See Birrenkott survey of July 7, 2004, Survey No. 2004-00939 at the County Surveyor's Office.
2. Access is required over the driveway to the west for the proposed configuration. If the parking stall is approved, the applicant shall provide a recorded copy of the easement/agreement permitting the vehicular access over and across the adjacent driveway at 407 W. Doty Street.
3. Any work within the street right of way, including a drive apron or curb cut, requires a permit from the City Engineering Division.
4. All work in the public right of way shall be performed by a City-licensed contractor.
5. 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).

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have any questions regarding the following item:

6. Installation of a code-complaint apron and curb cut to serve this parking area is required. The final plan shall show this parking area and curb-cut/apron.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

7. Note: All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Section 13.21.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following item:

8. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact my office at 261-9632 if you have any questions about the following two (2) items:

9. The applicant shall submit a fully dimensioned, legible and scaled site plan (1"=20') for final approval by the Planning Division that shows that a standard-size (non-compact) passenger automobile can be parked in the approved space without encroaching past the front property line into the W. Doty Street right of way. [For the purposes of satisfying this condition, staff recommends that an 18-foot deep space be used.] The required plan shall clearly identify the property/ right of way line, existing walls of the residence, all features located in the right of way in front of the property (sidewalk, street tree, sign pole, utility pole, etc.), and the existing/ proposed access to the parking stall from the driveway on 407 W. Doty Street.
10. The applicant shall obtain an easement/ agreement from the owner of 407 W. Doty Street to allow access for the proposed parking space to the public street across the neighboring property in perpetuity. The easement/ agreement shall be recorded prior to final approval, and a copy of the recorded document shall be included in the Zoning file for this PD. Extinguishment of the cross-access easement/ agreement by either party without prior approval of a subsequent PD alteration shall result in a violation of this condition.

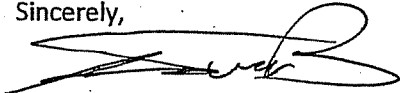
Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

After the planned development has been revised per the above conditions, please file **eight (8)** sets of complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator for inclusion in the zoning file for this PD-SIP.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,



Timothy M. Parks
Planner

cc: Janet Schmidt, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Dennis Cawley, Madison Water Utility
Matt Tucker, Zoning Administrator
Kay Rutledge, Parks Division
Bill Sullivan, Madison Fire Department

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division (Forestry)
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:

July 27, 2015

To: Plan Commission

From: Levi Funk

Subject: Response to comments regarding the request for PD Alteration.

I have read the comments submitted by both the City of Madison Planning Division and Zoning Administration. The following is my response to some of the issues they brought up.

Planning Division recommends that you to look at the 1981 PUD creation to see if there was intent to create parking at 403 W Doty. I contacted Paul Soglin (who headed up the State Bar's expansion project in 1981) and he said this about the PUD:

"I believe the conclusion was that the State Bar owned the Doty buildings and were allowed to use their rear lots for parking for occupants of their office building. I can recall no details of any arrangements made for parking for the residents of the Doty Street properties."

The 1981 PUD made no mention either for or against parking for 401 and 403 W Doty. 35 years ago the city considered the Bassett Neighborhood to be student rental properties and owner occupancy was not a priority. That is the exact problem I am trying to fix today.

I believe this PUD is outdated and should not be used as a reference point for your decision. I want you to instead look at the 1997 Bassett Neighborhood Plan that was drafted, in part, to fix the errors that occurred in the 80's.

Bassett Neighborhood Master Plan Goals

The primary goal for the Bassett Neighborhood is to create a stable, long-term residential population while maintaining the historic scale and character of the neighborhood.

Goal #1 - "Promote owner-occupied and long-term rental housing opportunities."

I want you to instead look at the comments filed by the Bassett Neighborhood Association and my immediate neighbors.

I also want you to look at the actions taken by the City of Madison through their Small Cap TIF program. In 2007 the city put up \$400,000 in forgivable loans to convert student rental housing into owner occupied houses in the Bassett Neighborhood.

It is clear that, even at considerable cost, owner occupancy should be encouraged in the Bassett Neighborhood.

Zoning has voiced an objection to this parking space, but I believe there are a few errors in their understanding of the property.

- 1.) Unless I am somehow mistaken, the current curb cut is owned by 407 W Doty.
- 2.) If the survey pin in the driveway is accurate (and the survey map seem to confirm it is), my property line includes at most 2' of the 10' wide driveway allowing 407 to park a car wholly on their property. However, if zoning is suggesting that this 2' means the curb cut should be shared access, I would like the ability to explore this further.

- 3.) If a new curb cut is required, this is not an unusual condition for this area as both the McDonell's (404 W Doty) and the Schauf's (401 W Doty) have recently had curb cuts added to their properties.

The other thing Zoning has expressed is a disbelief in my analysis of the downtown properties that would be affected by your decision to approve this parking space. I believe this is because when I initially set out to look into how many PD exist, I requested that information from Zoning. What they provided me with was a Microsoft Word document that is used for internal reference. I am an Economist and am use to dealing with very large datasets. I contacted the City Assessor's Office and was able to download a clean and complete database of all the PD Zoned properties in Madison (which I have emailed to Zoning). In addition to listing these properties, the dataset has many fields describing the properties. The key descriptive fields I used were Address, Property Class, Property Use, Zoning 1, Ward, Garage 1, and Driveway.

1. I started with **Zoning 1** field. There are 14,691 properties with the PD zoning.
2. Since we are not interested in the Commercial properties, I removed those using the **Property Class** field. There are 13,337 Residential PD properties.
3. Many of these Residential properties are Condominiums, so I removed those from the list (as well as vacant lots) using the **Property Use** field. There remain 4,154 Residential Non-Condominium PD properties.
4. Fortunately the database has the property's **Ward** number listed, so I didn't have to go through these individually to find out which were located downtown. To make sure I was all-encompassing, I included wards 42-68 as my "Downtown" area. There are 100 Downtown Residential Non-Condominium properties zoned PD.
5. So the question is how have these properties faired through the development process and what is their current parking situation? We can use the **Garage 1** and **Driveway** fields to see if there is a legal parking space for them. Of these 100 properties, 36 have a Garage and 33 have a Driveway. Another 10 are on the 300 block of W Doty and W Wilson and are a part of a shared backyard parking and garage project. This leaves only 21 locations without any parking.

I understand there is a fear that allowing my parking space will result in many other people to file for front yard parking space, so I've taken a close look at these 21 locations. These are the properties that, like my property, were likely zoned PD because of a larger neighboring development that required more land. The needs of the new development were placed above the existing home and its ability to encourage owner occupancy.

Immediately, I see that one of these locations (39 N Randall) was demolished for a larger development and another (1225 St James Ct) was demolished and rebuild with an attached garage. Of the 19 remaining, the following 15 properties do not have the front yard set-back to even make a parking spot possible.

- 1 520 E Johnson St
- 2 101 N Franklin St
- 3 510 E Mifflin St
- 4 515 E Mifflin St
- 5 21 N Franklin St
- 6 1220 Mound St

- 7 1207 Mound St
- 8 1211 Mound St
- 9 414 W Johnson St
- 10 431 W Dayton St
- 11 8 N Broom St
- 12 214 S Henry St
- 13 202 S Henry St
- 14 408 N Frances St
- 15 1019 Spring St

The remaining 4 properties are listed below with my notes.

1. **1047 E Wilson St**

Though there is no mentioning of shared driveway or parking, the property appears to have both. This is also in Ward 42, the most eastern ward I included.

2. **1236 Mound St**

Upon closer inspection, it appears this property only has about 12' in front of the house. This would not be adequate space to park a car.

3. **625 E Gorham St**

This property appears to be set back 17' from the sidewalk. In the Planning Division's comments they suggested a minimum 18' deep space so as to ensure parking would not encroach on the sidewalk. However, my 17' measurement is not 100% accurate and there may be enough space even still to support parking. This is the only other space in the city that I could find that would be affected by your approval and would require further examination should the owners pursue it.

4. **403 W Doty St**

This is my property and the parking space in question. According to the City Engineering Division I have an 18.5' deep set back from the property line. This satisfies the Planning Division's recommendation for at least 18'. We have parked our full-size sedan on this space with no obstruction to the sidewalk and room to spare.



Department of Planning & Community & Economic Development

Building Inspection Division

Madison Municipal Building, Suite LL-100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2984
Madison, Wisconsin 53701-2984
Phone: (608) 266-4551
Fax (608) 266-6377
www.cityofmadison.com

DATE: July 27, 2015
TO: Plan Commission
FROM: Matt Tucker, Zoning Administrator
SUBJECT: Request for PD Alteration for Front Yard Parking, 403 W. Doty Street

The applicant requests approval of alterations to this particular Planned Development (PD) district, as a remedy to noncompliance issues relative to an as-built condition of the property. The request asks to approve a front yard parking space, adjacent to an existing shared driveway.

Per Sec. 28.098(6), the Plan Commission is charged with reviewing requests for alterations to Planned Developments that are not approved administratively or approved through the full Common Council PD rezoning process. A copy of Sec. 28.098(6) is attached for reference (attachment #1).

Summary of History and Background

This Planned Development district was originally approved in 1981. A copy of the original approved PD is attached to this memo (attachment #2). The zoning allowed for the demolition of a principal residential structure, the construction of an addition to the existing office building, and surface parking lot for the office building, at that time occupied by the State Bar of Wisconsin. The two remaining homes in this PD had their backyard areas transferred to the state bar property for the purpose of constructing a surface parking lot. Part of the reasoning behind the approval of this PD was that the remaining residential lots and buildings on those lots would not conform to the R6 zoning requirements for lot area, open space, and building setback, and likely would not receive zoning variances for the desired changes to the lots; hence the Planned Development rezoning allowed the condition to be approved. Apparently, State bar allowed neighborhood folks to park in their parking facility on nights and weekends as a "good neighbor" gesture, although there is no record in the PD file memorializing this activity.

The State Bar sold the office building part of this PD to the current owner in 2009, the Center for Cosmetic Dentistry. City records show the home at 403 W. Doty has had several owners since 1981. The current owner purchased the home at 403 W. Doty Street in April 2009.

The home at the corner, 401 W. Doty Street, constructed a two-story addition in 2001, including a single-stall garage and driveway from S. Broom Street. The home at 403 W. Doty has an existing shared driveway with the adjacent neighboring property. The applicant has indicated the driveway is used by the neighboring property, but no information has been presented to explain who has rights to use this

driveway/parking area. It is possible both parties have rights to share this area, and thus the subject property would have a place to park, although it would require working out the daily use details with the neighbor.

The requested space does not align with a curb cut and driveway apron, and no modification to said curb or apron is being proposed. This is an unusual condition as city code requires driveways and aprons to align. The lack of an apron results in difficulty accessing the space and likely pedestrian-vehicle conflicts at the sidewalk. As proposed, accessing the space will result in driving across a part of the terrace area, resulting in erosion control problems. An existing telephone pole and traffic sign, and possibly a street tree, would need to be moved or removed to accommodate the otherwise-required driveway and apron.

The petitioner has submitted some information that they believe is relevant to the request; however, I would disagree with the initial findings. I believe there are probably more legal nonconforming front yard parking areas in this neighborhood and the general downtown area. The data is not available to perform a detailed analysis of the submitted information.

Findings and Recommendation

The project is a Planned Development, where there are not specific pre-determined requirements for lot area, yards, parking, etc. The intent of the PD was to split the homes off so they may function as home sites, while the balance of the land was to be used for the office building development. There was no preference toward owner occupancy or renter occupancy, nor should there be such a distinction made to prefer one over the other in this case. Parking impacts are the same regardless of the occupant of the property. The provision of on-site parking for occupants of dwelling units varies greatly in the neighborhood. Some places have on-site parking and others do not. The zoning ordinance does allow for rental of residential parking areas in the block. Typically, not needed residential parking areas at properties with such facilities are rented to the occupants of other dwelling units in the block.

The request involves allowing a front yard parking area which would not otherwise be allowed, either in the previous R6 Zoning District or in the current DR2 zoning, which directly abuts this site and applies to other residential properties in the block and general area. The City extends significant enforcement efforts to eliminate illegal front yard parking, and to approve an arrangement that would otherwise allow such parking creates an inconsistency in how the city chooses to allow and regulate parking uniformly and consistently at residential property. For any other property to have a similar front yard parking arrangement, a zoning variance would be required. It is doubtful such a variance would be approved, given the City's long-standing regulations and policy against front yard parking and that all variances are tested against rigorous standards of approval. Because this property it is a Planned Development, it gets to bypass what would be a process requirement for other conventionally zoned properties in the area that would want to ask for the same consideration. Also, approval of this alteration could set precedent for other front yard parking variance requests in the area.

Staff recommends the alteration be found inconsistent with the original Planed Development approval, in conflict with the statement of purpose for the district, and inconsistent with development found in the

403 W. Doty Street
July 27, 2015
Page 3

general area, and the requests be placed on file.

Should the Plan Commission determine the standards can be met and the parking area be approved, a condition requiring the installation of a code-complaint apron and curb cut to serve this parking area should be applied.

Attachments

Attachment #1

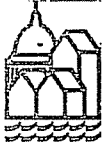
Sec. 28.098 (6) Changes to a Planned Development. *

No alteration of a Planned Development District shall be permitted unless approved by the Plan Commission. However, the Zoning Administrator may issue permits for minor alterations that are approved by the Director of Planning and Community and Economic Development following consideration by the alderperson of the district that are consistent with the development approved by the Common Council. If the alderperson of the district and the Director of Planning and Community and Economic Development do not agree that a request for minor alteration should be approved, then the request for minor alteration shall be decided by the Plan Commission after payment of the applicable fee in Section 28.206, MGO. If the change or addition constitutes a substantial alteration of the original plan, the procedure in Sec. 28.098(5) shall be required. Telecommunications towers, Class 1 Collocations, Class 2 Collocations and Radio Broadcast Service Facilities shall be considered minor alterations under this section. Criteria for review are provided in Sections 28.143 and 28.148. See Wis. Stat §§ 66.0404(3)(a)1 and (4)(gm) and 66.0406 (2013)

* Effective 4/18/15

City of
Madison

Charles R. Dinauer, Acting Director



April 2, 1981

#80

Mr. Paul R. Soglin
505 Riverside Drive
Madison, WI 53704

Dear Mr. Soglin:

The City Council, at its' March 31, 1981 meeting, conditionally approved your application for rezoning from R6 to P.U.D.(G.D.P.) and P.U.D.(S.I.P.) for property located at 402 West Wilson Street, 403 and 407 West Doty Street, and 208 South Broom Street for the expansion of the State Bar office and parking lot. This approval includes the demolition of the single residential unit at 208 South Broom Street. The conditions of approval are:

1. The screen hedge along Broom Street shall be relocated 3.5 feet behind the property line and the parking lot shall be placed five feet from the property line.
2. The proposed drainage plan shall be revised to connect the new parking area into the existing drain in the driveway, rather than a new crossing of South Broom Street.
3. Storm water drainage fee calculated at the rate of \$10.00 per 1,000 square feet of impervious area will be collected at such time as the parking lot plans for this site are submitted for approval.
4. The plan shall indicate that the existing driveway opening serving the existing house, is to be closed as part of the development of this site.
5. The Water Utility shall be notified to remove the water meter two work days prior to demolition.
6. Provide fire extinguisher as required by M.G.O. 34.14(5). Contact the Fire Department if you have questions.
7. The developer shall contact Traffic Engineering for revised parking design and signing required to provide for proper vehicle operation.
8. The portion of the text covering permitted uses shall be amended to read as follows:

Madison Municipal Building
215 Monona Avenue
Madison, Wisconsin 53709
608 266 4635

Permitted Uses

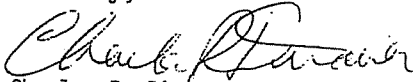
1. Offices, professional and business.
2. Accessory uses including off-street parking as indicated on the approved plans.
3. Occupancy by a family only in each of the dwelling units located in the existing two unit buildings located at 401 and 403 West Doty Street. For this purpose, the term family is defined the same as it is for the R6 district in Section 28.03(2) of the Madison General Ordinances.
4. Expansion of the office building as indicated on the approved plans.

After the plans have been changed as per the above conditions, please file 5 sets of the parking lot plans with the Zoning Administrator, Madison Municipal Building, Lower Level, for parking lot approval.

No alteration of the PUD (S.I.P.) shall be permitted unless approved by the City Plan Commission provided, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Planning Director and are compatible with the concept approved by the City Plan Commission. The Zoning Administrator will receive any requests for such permits.

As soon as these conditions have been satisfied, bring in the original plans to the various reviewing departments and obtain their signature on the cover sheet. After this is accomplished, please file six (6) sets of the signed plan with the Building Inspection Division for the City files. One set of plans reduced to 8 1/2 by 14 inches along with the written material shall be recorded with the Dane County Register of Deeds as the Specific Implementation Plan before any permits will be issued. If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. If the General Development Plan has not previously been recorded, it shall be recorded prior to the S.I.P. One copy of each of this material with the recording information shall be returned to City Planning for our files.

Sincerely,



Charles R. Dinauer
Acting Director
Planning & Development

CRD:lk

cc: Zoning Administrator ✓
City Engineering
Traffic Engineering
Water Utility
Fire Department
Lawrence Bugge - State Bar of Wis., P.O. Box 7159, Madison 53707
Strang Partners, Inc., 3800 Regent St., Madison 53705

ZONING TEXT

PUD District Block 46 Lot 9, 10, 11 Madison Wisconsin

- a. Statement of Purposes: This district is created to provide for the existing two 2-flat residential uses and business and professional offices.
- b. Permitted uses:
 1. Offices, professional and business.
 2. Accessory uses including off-street parking as indicated on the approved plans.
 3. Occupancy by a family only in each of the dwelling units located in the existing two unit buildings located at 401 and 403 West Doty Street. For this purpose, the term family is defined the same as it is for the R6 district in Section 28.03(2) of the Madison General Ordinances.
 4. Expansion of the office building as indicated on the approved plans.
- c. Conditional Uses: None
- d. Lot Area Requirements: Same as R6
- e. Floor Area Ratio: The floor area shall not exceed 2.0
- f. Yard Requirements: Shall be as indicated in the plan. Note proposed future addition.
- g. Usable Open Space: As shown on the site plan or as amended with any future SIP amendment.
- h. Signs: Existing identification signs and additional necessary traffic directional signs. Other signs as approved by director of planning and development.
- i. Off-Street Parking and Loading: Off-street parking shall be provided as indicated on the plan. Note future addition.

BASSETT NEIGHBORHOOD ASSOCIATION, LTD.

P. O. BOX 788
MADISON, WI 53701

23 March 1981

To the Plan Commission

Re: File No. 5034-1878, an application for a demolition permit for 208 S. Broom and a rezoning of 402 W. Wilson from R6 to PUD(GDP-SIP).

At its meeting of 11 March, the Bassett Neighborhood Coordinating Council unanimously approved the following resolution:

"Resolved that the BNA support the State Bar's expansion plan, provided that an Option to Purchase, on terms satisfactory to the Board of Directors of BNA, Ltd., is granted to BNA or its assignees. If the parties are unable to enter into an agreement prior to 23 March, BNA shall inform the Plan Commission that it opposes the proposal."

I am please to report that such an agreement was reached, on mutually satisfactory terms. For that reason, and in keeping with the Bassett Neighborhood Plan's emphasis on the rehabilitation and renovation of existing houses, the BNA supports File No. 5034-1878, and urges the Plan Commission to grant approval.

Over the years, the State Bar has been a multi-faceted asset to the neighborhood. In addition to providing employment to several area residents, it has been a fine, even generous landlords for the residents of 401 and 403 W. Doty. We are confident that this project will mark a continuation of that positive tradition.

For the BNA

Stuart Levitan
Stuart Levitan
Secretary/Treasurer

STATE BAR
OF
WISCONSIN



Stephen L. Smay
Executive Director

March 17, 1981

City of Madison
210 Monona Ave.
Madison, WI 53709

DEPARTMENT OF
PLANNING AND DEVELOPMENT

MAR 20 1981

City of
Madison, Wisconsin

Dear Sir:

The State Bar of Wisconsin, 402 W. Wilson, Madison, Wisconsin is scheduled to appear before the City of Madison Plan Commission on March 23rd and the Common Council on March 31, 1981 in support of a rezoning for its offices which would allow for expansion of the present building and relocation of its parking facilities.

The existing facility was built in 1957 at the corner of Broom and West Wilson streets. During 1967-68 the second floor was added and the present parking lot was constructed. Besides owning the site of its office building the State Bar has acquired 401 and 403 W. Doty and has an option on 208 S. Broom, presently occupied by the owner Charlotte Hustad.

Briefly, the State Bar which has grown substantially in size because of demand for greater public service and an increase in the number of attorneys in the State of Wisconsin from 6,500 in 1957 to 12,100 in 1981 wishes to remain in downtown Madison. The expansion can be accomplished at the existing facility by relocating the parking to the north on to the property owned by Mrs. Hustad and the rear of the lot of 403 W. Doty. The original proposal has undergone substantial modification after discussions with the Bassett Neighborhood Association (BNA).

The present plans call for the removal of Mrs. Hustad's home, either through demolition or moving, if a site is available and the retention of both 401 and 403 W. Doty. The parking will be screened pursuant to city regulations and the informal arrangement which allows neighborhood residents to park in the lot in the evenings will continue. The State Bar is prepared to formalize the arrangement if the BNA so desires.

The expanded facility will include access for those with physical disabilities as well as modifications which would allow for the implementation of active solar collectors used as an adjunct to the building's heating system and/or domestic hot water supply.

The BNA has not yet taken a formal position on the final plans in that it is still negotiating with the State Bar over the future ownership and use of 401 and 403 W. Doty.

P. O. Box 7158, Madison, WI 53707

Located at: 402 W. Wilson St., Madison, WI 53703

Telephone (608) 257-3838

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Konrad T. Tuschschere
Wausau

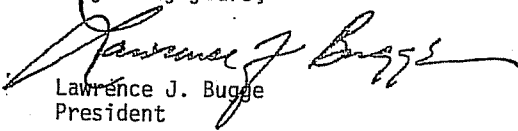
Gerald S. Wilcox
Madison

Donald W. Zautcke
Cedarburg

3.

The proposal which has been reviewed at four meetings, with the Bassett Neighborhood Association and the tenants does have the support of Mrs. Hustad. If you have further questions or comments about the project, please join us at the Plan Commission meeting at the City-County Building on March 23, 1981 at 4:30 P.M. when a complete presentation will be made or call Paul R. Soglin at 249-2838.

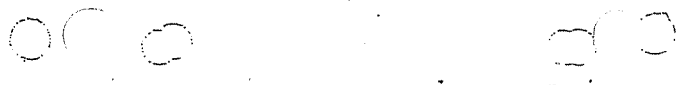
Very truly yours,



Lawrence J. Bugge
President

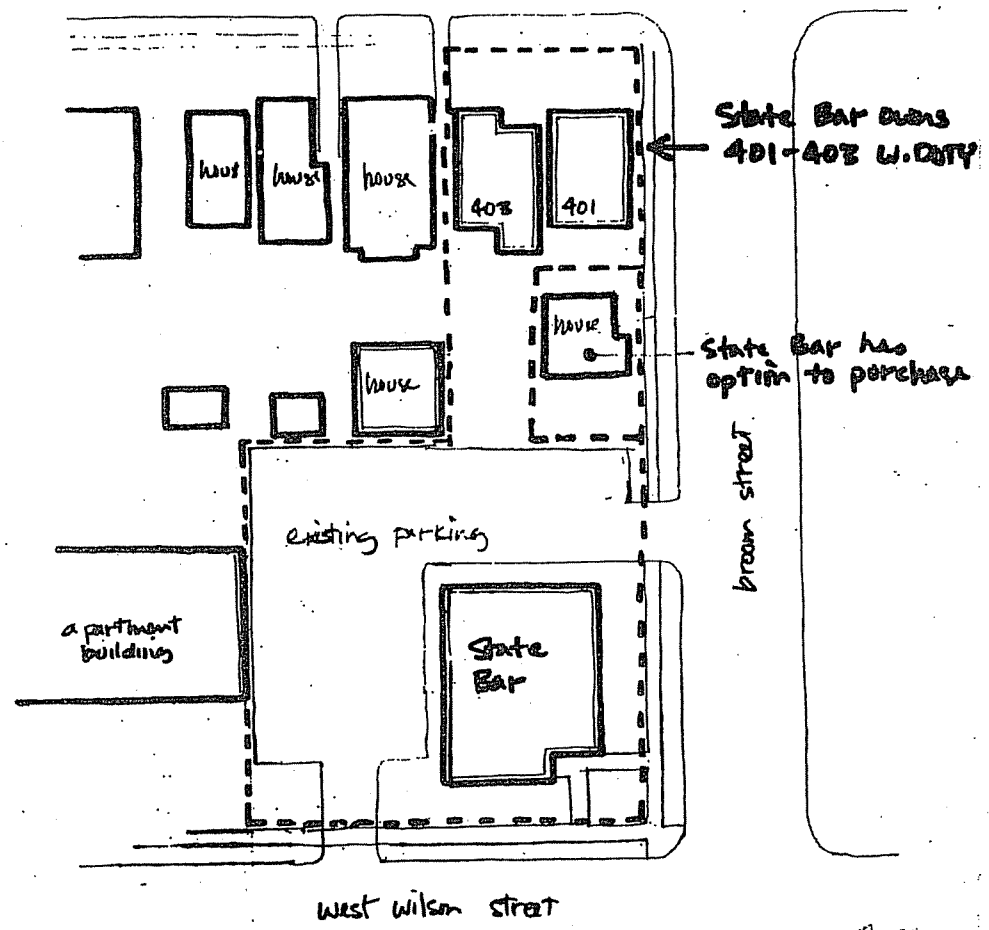
3.

3.




----- present property line

west doty street

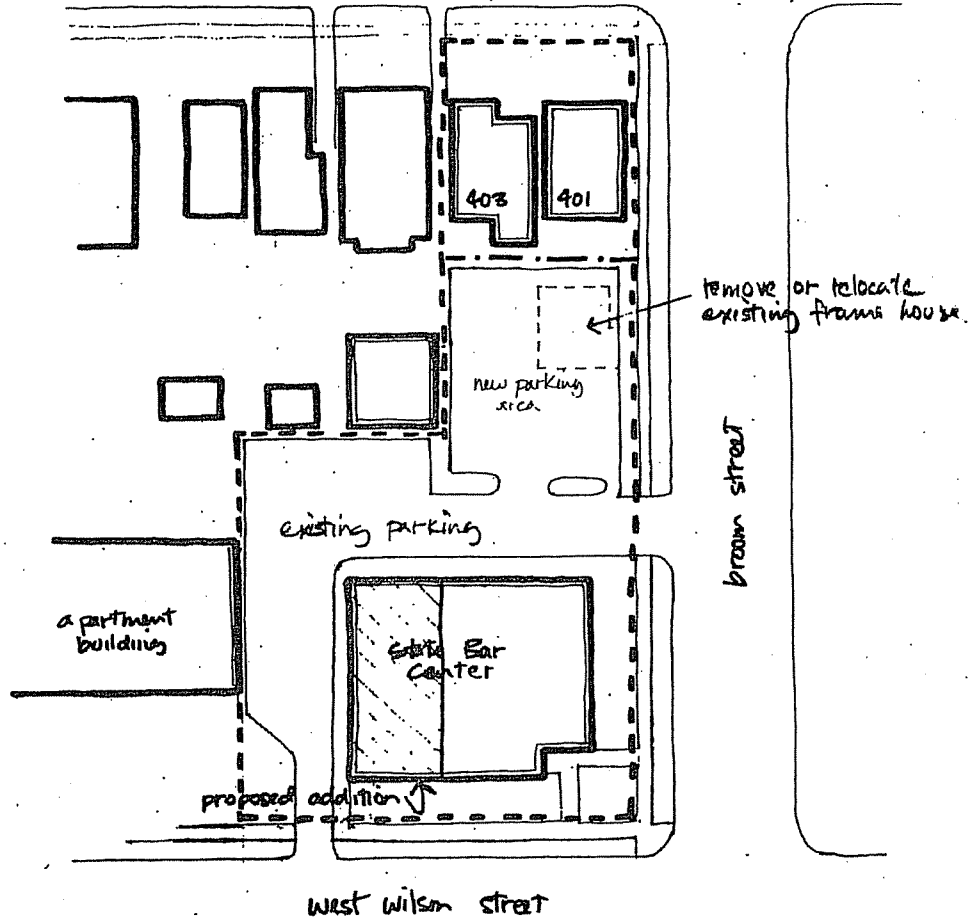


note: no scale
site plan - no scale

<p>Strong Partners, Inc.</p>  <p>Architects Engineers Planners</p>	<p>Project</p> <p><u>State Bar Center Addition</u> 3.</p> <p>EXISTING SITE CONDITIONS</p> <p>3/23/81</p>
--	---

----- present property line
- - - - - proposed revised property line

west doty street



remove or relocate existing frame house

broom street

west wilson street

north
site plan - no scale

Strang Partners, Inc.



Architects
Engineers
Planners

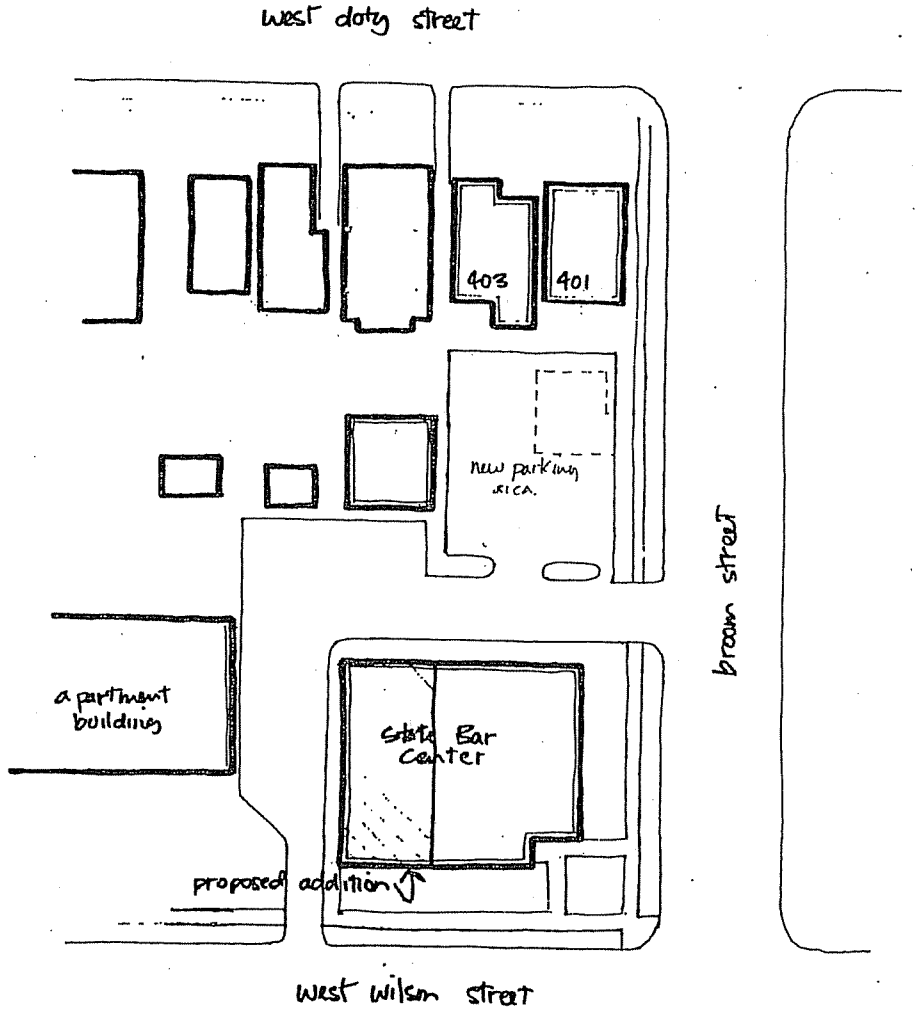
1 of 1

Project


State Bar Center Addition

3/23/81

3



north
 site plan - no scale

<p>Strang Partners, Inc.  Architects Engineers Planners</p>	<p>1 of 1</p>	<p>Project State Bar Center Addition III.A.3.</p>
--	---------------	--

Planning Department comments on a proposal to rezone the properties located at 402 West Wilson, 401 and 403 West Doty and 208 South Broom Street, from R6, residential to PUD(GDP) and PUD(SIP) (Planned Unit Development - Specific Implementation Plan) to allow expansion of the building and parking for the State Bar Association offices. This project includes the demolition of one house at 208 South Broom Street.

- I. Location: Located on the north side of Wilson, just west of Broom Street.
- II. Parcel Area: 26,136 sq. ft.
- III. Existing Zoning: R6, Multi-family residential.
- IV. Proposed Zoning: To PUD(GDP) and ultimately to PUD(SIP), Planned Unit Development (Specific Implementation Plan).
- V. Existing Use: A three story professional office building and related parking, and 3 houses used as rental properties.
- VI. Proposed Use: A 3 story addition to the SW elevation of the existing 3 story building and 13 additional parking spaces on the northwest side along Broom Street. This will require a demolition permit to remove the existing small house at 208 South Broom St. The other two houses included in the rezoning will remain as residential rental properties. The proposed expansion will add 6,000 sq. ft. total (2000 sq. ft./floor) and a future proposed expansion indicates that ultimately the building may go to the west property line.
- VIA. Land Use Plan: RMH-M, medium to high density residential (26-40 D.U.'s/acre) Multi-family housing type.
- VII. Development Schedule: Construction would occur between April of '82 and December of '82.
- VIII. Public utilities and public facilities presently serve this area.
- IX. Recommendation: The State Bar of Wisconsin owns the subject property and has their offices in the three story building at Wilson and Broom. They intend to construct a three story addition to the office building, remove a single family residential building at 208 South Broom St. and add 13 new parking stalls. They are considering having the building moved to a new location.

Even though the land use plan proposes residential use and this proposal would remove a single family residence, staff support the GDP proposal based on the following:

1. The office building and use exists and should the State Bar move out, the new use could be detrimental to the neighborhood by generating increased traffic and congestion in the area.
2. The existing building and addition provides for employment in the central area and the increased office could provide for increased employment by those living in the area.
3. Permitting the State Bar to expand at the subject site would retain a use which belongs in downtown Madison and not cause a move to the periphery of the City.

VII.A.3

4. ~~That~~ the screen hedge along Broom St. ^{SHALL} be relocated 3.5 feet behind the property line and the parking lot, ^{SHALL BE} placed five feet from the property line.
5. Input at the public hearing which could be incorporated into the PUD - SIP.

Please see page 7 of the Resolution (Amended Second Substitute) on the 1979 Bassett Neighborhood Plan which provides for the PUD process for developments different than the generalized Proposed Land Uses. The adopted Land Use Plan provides for a similar approach. Also attached is a Resolution adopted July 15, 1980, adopting criteria for evaluating design aspects of Isthmus development.

1

VI.A.3

SIP/FUD PREAPPLICATION CHECKLIST REPOSSES

1. Letter Of Intent:

a. State Bar of Wisconsin
Headquarters Office Building Expansion
402 West Wilson Street
Madison, WI 53703

b. It is our intention to include in our planning the construction of a three story, 6,000 square foot addition directly to the southwest elevation of our present facility and provide for future expansion of an additional 6,200 square feet of expansion potential beyond to the adjacent southwest property line. In addition, we propose to make provisions for 13 additional parking stalls paralleling Broom Street.

The proposed three story addition will be directly contiguous to and align itself with the three levels of the existing building and will be of a new architectural character encompassing the present facility. The intended use of this new space will be to accommodate additional administrative and clerical office personnel whose functions will be similar in nature to present staffing.

The development of the additional parking area will include a setback along Broom Street deep enough to allow for a fence and visual screenings. It is our intention to construct this parking area in conjunction with the building expansion program.

With regard to maintenance and snow removal we intend to continue our present operation of retaining on-staff maintenance of building and grounds in conjunction with private contracting for solid refuse and snow removal.

c. Architect: Strang Partners, Inc.
3800 Regent Street
Madison, WI 53705

Engineer: Strang Partners, Inc.
3800 Regent Street
Madison, WI 53705

VII.A.3

Landscape Architect: Joel Minkoff, B.L.A.
Strang Partners, Inc.
3800 Regent Street
Madison, WI 53705

Surveyor: N/A

d. Expected construction schedule:

1981	Sept/Oct	Design Development
	Nov./Jan	Working Drawings
1982	February	Bid
	March	Contract & obtain permits
	December	Completion

e. Landscaping: \$2,500

f. N/A

g. 1. see enclosure
2. N/A
3. N/A
4. N/A
5. N/A
6. N/A

h. See site plan

2. Title Sheet:

a. See site plan

b. 1. 2 in-houses
2. N/A
3. N/A
4. 3 (including two existing houses)

c. 1. 26,136 s.f.
2. 2,277 s.f.
3. N/A
4. houses - 2,144 s.f.
office building - 5,712 s.f.

d. 1. 1,000 s.f.
2. 250 s.f.

e. 1. 30, see site plan
2. N/A
3. 11,682 s.f.

f. see site plan
1. see site plan
2. see site plan
3. see site plan & attached fence & curb detail
4. see site plan
3. see site plan

VII-A-3.

11. Landscaping:

- a. It is anticipated that the landscaping that will be included with this project will be consistent with the present formal landscaping theme that has been established in the original project. That is, extension of the present shrubery, hedges and parking lot screening and additional shade trees. It is also expected that a planter will be integrated into the east elevation of the new addition in a manner quite similar to the one that presently exists on that elevation of the building.
- b. As the project has not been subjected to competitive bidding, it is not possible to anticipate who will be installing these materials. However, the landscape architect who will be retained for the specific design work and supervision of the construction will be David R. Schreiber & Associates - Madison, Wisconsin.

The time schedule for implementing this plan is anticipated that plant materials will be installed in the fall of 1982.

12. Site Design:

- a. yards shall be shown on plans
- b. N/A
- c. N/A
- d. Bassett Street Neighborhood Association - agreement to permit residents and visitors to use parking at night and on Saturdays and Sundays
- e. no parking restrictions
- f. back door

13. City Services:

- a. see site plan
- b. handle in-house staff
- c. N/A
- d. see site plan

14. Home Owners Association or other Approving Authority:

a,b,c,d,e,f,g, - N/A

Legal Description: Block 46, Plat Lots 9, 10, 11

Development Schedule: See ID

Economic Impact/Cost Benefit Schedule: N.R.

VII.A3

Primary emphasis on the design of the addition will be placed on passive solar design technology. Large amounts of glass will be utilized on the south facing elevation and lesser amounts on the east and west elevations. The south elevation will be provided with generous overhangs for solar control from summer sun and the other roof and wall areas of the outside envelope will be heavily insulated. The north elevation of the building which will not require modification for this addition has been earmarked as an area of the building that will receive some remodeling at a future date when additional construction funds can be solicited for that work. At that time the amount of glass on the north elevation will be reduced by about 35 percent, and the remaining insulated spandrel panels will be supplemented with additional surface applied spandrel panels on top of them. It is anticipated that the existing window units that are to remain will not be replaced with new units because of the significant costs involved.

It is intended that the overall building design reflect every strand simplicity and that the general low uniform profile of the present will be retained with the construction of the additional 6,000 sq. ft. of space. The general landscaping plan that has been established in the original project and its subsequent additions will also be reinforced with additional plantings both on the present corner site as well as for the screening of the new parking area that is proposed directly west of the present building.

- c. Not applicable.
- d. It is anticipated that the present level room will be retained over the addition. However, State Bar desires that the roof structure be designed to allow for the addition of active solar panels at some later date should the installation and operation of the panels provide a cost effective supplement to their present heating/cooling system. Also, the Bar wishes to reserve the right to add one additional vertical story on top of the new addition so that the total overall height of the building will be very similar to the height of the adjacent apartment building located directly south of this area.
- e. Not applicable.
- f. None

VII. A. 3.

- g. 1. One
- 2. Office

3. Site Plan:

- a. see site plan
- b. see site plan
- c. The construction specifications will outline contractor requirements to; 1) clean dirt from truck tracking once a week; 2) confine excavation dirt to prevent run off, while it is stored on the site.
- d. see site plan and floor plans
- e. see site plan
- f. none
- g. see attached detail sheets
- h. see site plan for location
mounting height: 15'-0", M
type: 70, WHPS Manufacturer: McGraw Edison
IES: IV Night time: photocell control
- i. N/A
- j. see site plan
- k. N/A
- l. N/A
- m. N/A

4. Landscaping Plan:

- a. see site plan
- b. N/A
- c. see site plan
- d. see site plan
- e. N/A

VII.A.3

5. Circulation Plan:

a,b,c,d,e,f,g,h,i,j - see site plan

6. Utilities Plan:

a,b,c - see site plan

7. Building Plan:

- a. 1. see floor plan
- 2. see elevations
- 3. N/A
- b. N/A

8. Miscellaneous:

- a. N/A
- b. N/A
- c. N/A
- d.
- e. see site plan, floor plans & detail sheets

9. Land Use:

- a. office use
- b. see zoning text
- c. N/A
- d. N/A

10. Architectural Character and Building Functions:

- a. The entire functioning area of this building will house space for all of the administrative tasks of the State Bar Center of Wisconsin. Included in this will be offices, conference areas, secretarial areas, printing and mailing areas and general storage.
- b. The design of the addition for this building is dictated in very large part to the architectural character of the existing structure. The use of cut limestone will be continued on in the new addition, bronze colored duronotic aluminum spandrel panels will be used, and operable double and triple glazed window units will be provided on the east, south and west elevations.

VII.A.3

ZONING TEXT

PUD District

- a. Statement of Purposes: This district is created to provide for the existing two 2-flat residential uses and business and professional offices.
- b. Permitted Uses: The following uses are permitted in this district:
 1. Any R6 use presently allowable as it applies to the State Bar Building and any use the building and lot may have been permitted by the city zoning code at the time the building was constructed.
 2. Any use permitted in the R6 district and office space may exceed 1500 square feet in a building where the principal use is residential.
 3. Professional and business offices.
 4. Accessory uses including parking.
 5. The existing 2 flat dwelling at 401 West Doty, which includes a one bedroom and a three bedroom unit totalling 1826 square feet.
 6. The existing 2 flat dwelling at 403 West Doty, which includes a one bedroom and a two bedroom unit totalling 2400 square feet.

It would be allowable to convert interiors of these two dwellings as permitted in the R6 district.
- c. Conditional Uses: None
- d. Lot Area Requirements: Same as R6
- e. Floor Area Ratio: The floor area shall not exceed 2.0
- f. Yard Requirements: Shall be as indicated in the plan. Note proposed future addition.
- g. Usable Open Space: As shown on the site plan or as amended with any future SIP amendment.
- h. Signs: Existing identification signs and additional necessary traffic directional signs. Other signs as approved by director of planning and development.
- i. Off-Street Parking and Loading: Off-street parking shall be provided as indicated on the plan. Note future addition.

VII A.3.

ZONING TEXT

PUD District

- a. Statement of Purposes: This district is created to provide for the existing residential uses and business and professional offices.
- b. Permitted Uses: The following uses are permitted in this district:
 1. Any use permitted in the R6 district
 2. Professional and business offices
 3. Accessory uses
- c. Conditional Uses: None
- d. Lot Area Requirements: Same as R6
- e. Floor Area Ratio: The floor area shall not exceed 2.0
- f. Yard Requirements: Shall be as indicated in the plan. Note proposed future addition.
- g. Usable Open Space: As shown on the site plan or as amended with any future SIP ammendment.
- h. Signs: Existing identification signs and additional necessary traffic directional signs. Other signs as approved by director of planning and development.
- i. Off-Street Parking and Loading: Off-street parking shall be provided as indicated on the plan. Note future addition.

WRECKING PERMIT APPLICATION
APPLICATION FOR CONDITIONAL USE PERMIT
MADISON, WISCONSIN

Date February 23, 1981 Voucher No. 50680 Fee: \$50.00

The undersigned owner (contract owner) of property herein described hereby applies for a conditional use permit for the following described property:

	Existing	
	Zoning	<u>R-6</u>
(1) Location of Property:	Aldermanic	
Street Address	District	
<u>402 W. Wilson</u>	Applicant has talked	Yes <u>x</u>
	with Alderperson	No _____
(2) Legal Description of Property:		
<u>Block 46, lots 9, 10, 11</u>		
(3) Proposed Use of Property:		
<u>Professional offices</u>		

- (4) This is a conditional use because Office building of this size is not permitted in R-6 zone
- (5) Development Schedule construction period from April '82 to December '82
- (6) Attached is the checklist, plans, and letter of intent Yes x No _____

Section 28.12(10)(g) Standards. No application for a conditional use shall be granted by the City Plan Commission unless such commission shall find all of the following conditions are present:

1. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located.

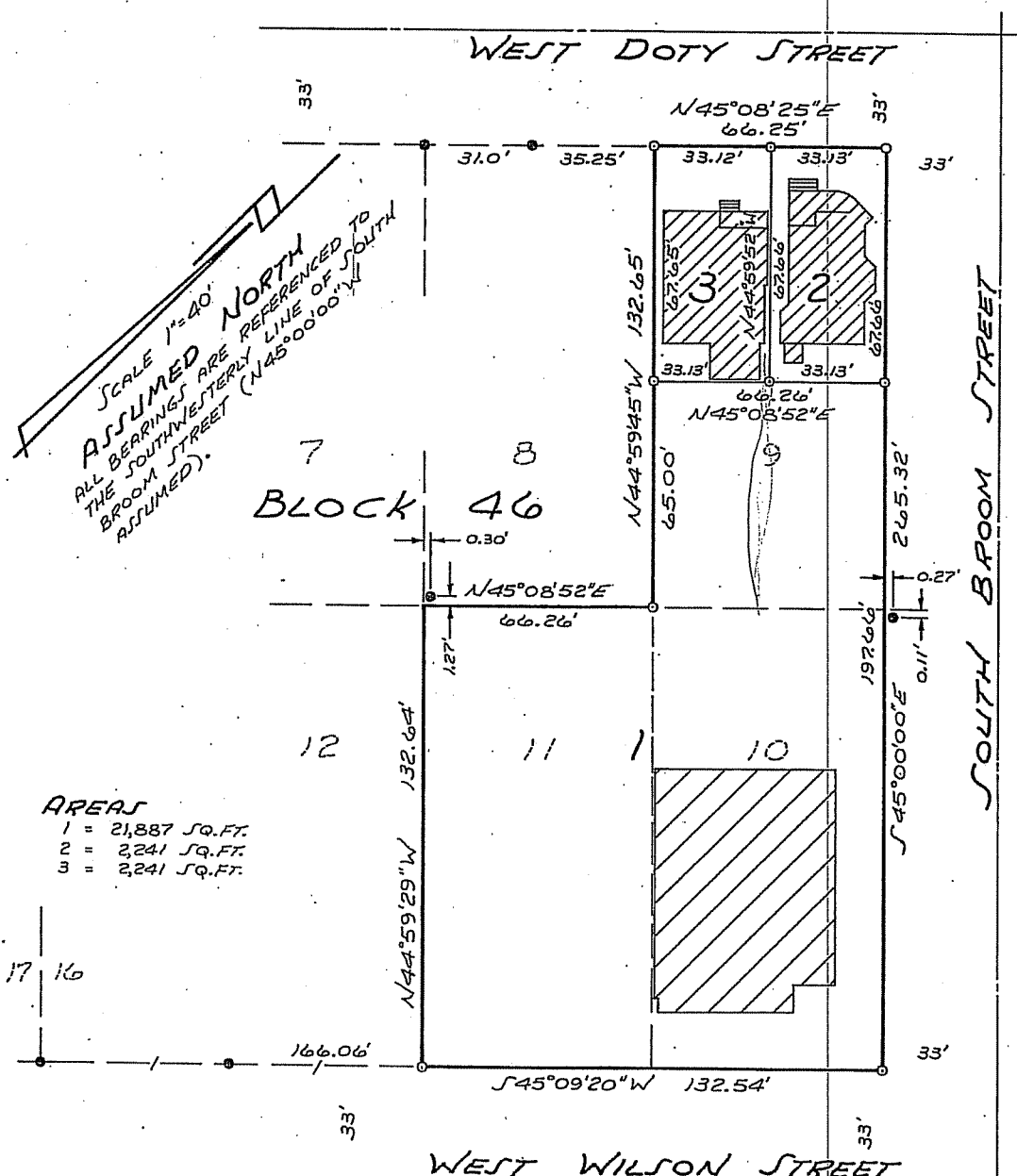
I own x lease _____ rent _____ this property.

I have reviewed the above standards to the best of my knowledge this proposed conditional use complies with the standards for conditional use.

Respectfully submitted,
STATE BAR OF WISCONSIN
Roger R. Soglin SOS R. Soglin 249-2838
Name: R. Soglin (Authorized representative) Telephone No.

Referred to Plan Dept Date Feb 23, 1981

CERTIFIED SURVEY MAP
 DONALD L. PAULSON
 LAND SURVEYOR
 MADISON, WISCONSIN



AREAS

1	=	21,887 SQ.FT.
2	=	2,241 SQ.FT.
3	=	2,241 SQ.FT.

- LEGEND
- IRON STAKE FOUND
 - IRON STAKE PLACED
 - 7/8" Ø X 24", 2.04 LB/FT.
 - ▨ EXISTING BUILDING

STRANG PARTNERS, INC.
 3800 Regent Street
 Madison, Wisconsin 53705

ARNOLD & O'SHERIDAN, INC.
 815 Forward Drive
 Madison, WI 53711

August 19, 1981
 81198-C

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON ACCORDING TO THE DESCRIPTION FURNISHED AND THAT THE ABOVE MAP IS A CORRECT REPRESENTATION OF THE LOT LINES THEREOF AND I HAVE COMPLIED WITH SECTION 236.34 OF THE STATUTES OF THE STATE OF WISCONSIN.

CERTIFIED SURVEY MAP NO. _____

DOCUMENT NO. _____

Madison, Wisconsin _____
 Donald L. Paulson S-728

Sheet 1 of 2



Strang Partners, Inc.

Architects
Engineers
Planners

March 9, 1981

Mr. Bernard Reilly
City Zoning Administration
City-County Building
215 Monona Avenue
Madison, WI 53709

Re: Wisconsin State Bar Center
PUD/SIP Rezoning Application

Dear Barney:

I am writing to you with regard to the materials which have been previously submitted for this rezoning application and would like to include as an addendum additional information regarding the "Single Ownership Statement."

It is the wish of the Owner to clarify their position regarding ownership of the land by including the following statement:

"It is the intent of the Owner to pursue one of three ownership options for the land comprising their present parcel, i.e., Lots 9, 10 and 11 of Block 46. The three options would be as follows:

- a. Maintain ownership of all of the property both land and buildings.
- b. Sell the land and buildings which presently include all of 401 West Doty Street and the western most half of 403 West Doty Street for either a condominium or cooperative residential development or any other residential use permitted in the R-6 zone.
- c. Sell the buildings on 401 West Doty Street and 403 West Doty Street but retain ownership of the land."

Principals:
Roger E. McMullin, AIA
Frederick J. Parfrey, AIA
Edward D. Ornes, PE.

3800 Regent Street
Madison, WI 53705
608 233 9753

Mr. Bernard Reilly
March 9, 1981
Page 2

If you have any questions regarding this statement, please feel free to contact either myself or Paul Soglin the legal counsel representing the State Bar.

Sincerely,

STRANG PARTNERS, INC.

Rick Parfrey

Frederick J. Parfrey, AIA

FJP/cls

cc: Joel Peterson, City Plan Dept.
Steve Smay
Paul Soglin



PLANNING DIVISION STAFF REPORT

July 27, 2015



PREPARED FOR THE PLAN COMMISSION.

Project Address: 403 W. Doty Street
Application Type: PD-SIP Alteration
Legistar File ID # 38933
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Levi Funk; 403 W. Doty Street #1; Madison.

Requested Action: Approval of an alteration to an approved Planned Development–Specific Implementation Plan for 403 W. Doty Street to allow a front yard parking space for an existing residence.

Proposal Summary: The parking stall has been installed; the applicant wishes to begin legally using the stall as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Section 28.098(6) states that “No alteration of a Planned Development District shall be permitted unless approved by the Plan Commission. However, the Zoning Administrator may issue permits for minor alterations that are approved by the Director of Planning and Community and Economic Development...that are consistent with the concept approved by the Common Council.”

Review Required By: Plan Commission.

Summary Recommendation: If the Plan Commission can find that the proposed alteration to the Planned Development-Specific Implementation Plan is consistent with the concept approved by the Common Council in 1981 in due consideration of the standards of approval for the Planned Development zoning district, it should approve the alteration for 403 W. Doty Street to allow the front yard parking space subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site is a 2,468 square-foot parcel located one property west of S. Broom Street on the south side of W. Doty Street; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

Existing Conditions and Land Use: The property is developed with a two-family dwelling, zoned PD.

Surrounding Land Use and Zoning: The property is generally surrounded by a mix of single-, two- and multi-family dwellings located along the 400-block of W. Doty Street in DR-2 (Downtown Residential–2 District) zoning, with the exception of the adjacent residence at 401 W. Doty Street, which is also zoned as part of the same PD district as the subject site. The subject parcel is bordered on the south by the two-story American Academy of Cosmetic Dentistry office building, also zoned PD.

Adopted Land Use Plan: The 2012 Downtown Plan includes the subject site in the Bassett neighborhood/ sub-district, which is recommended for predominantly residential development. The Downtown Plan recommends that the sub-district continue its predominantly residential nature, with an “evolving mix” of new higher-density

buildings carefully integrated with existing older structures consistent with the development trend in the neighborhood over the last 20 years.

Zoning Summary: The site is zoned PD and no changes to the building or site beyond permission for the parking stall are proposed. The PD-SIP alteration will be reviewed in the following sections.

Environmental Corridor Status: This property is not located within a mapped environmental corridor (see Map E8).

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

Previous Approvals

On March 31, 1981, the Common Council approved a request to rezone 402 W. Wilson Street, 401 and 403 W. Doty Street and 208 S. Broom Street from R6 (General Residence District) to PUD(GDP-SIP) [1966 Zoning Code] to allow demolition of 208 S. Broom and construction of an addition to the State Bar Center Building and parking lot.

As part of this approval, Certified Survey Map 3796 (attached) was recorded on September 24, 1981 to create 3 lots for the PUD district approved above. Lot 1 contains the two-story former law office building; Lots 2 and 3 of CSM 3796 are each 2,466 square-foot lots and contain a two-family dwelling. The site of the subject alteration is Lot 3.

Project Description

The applicant is requesting Plan Commission approval of an alteration to the approved specific implementation plan for 403 W. Doty Street to allow an existing, unapproved parking stall located in the front yard of a two-family dwelling to remain. The two-story residence, which was constructed in 1884 according to City records, is part of a Planned Development district that facilitated the expansion of the adjacent office building at 402 W. Wilson Street. The PD district also includes the adjacent two-family dwelling at 401 W. Doty. The proposed parking stall is located at the northwestern corner of the property and is constructed with pavers placed in the front lawn adjacent to the driveway for the multi-family dwelling at 407 W. Doty Street. Access to the applicant's parking stall is provided from the drive apron for 407 W. Doty. A utility pole, street sign, and street tree are located in the terrace between the parking stall and W. Doty Street.

Analysis and Conclusion

Parking stalls in the front yard of residential properties are very rare across the City and typically require a variance to be granted by the Zoning Board of Appeals if proposed in a conventional zoning district. However, because the subject site is zoned PD, the applicant is seeking to amend the approved plan to allow the parking stall that was created to serve the subject site to legally remain. The zoning text approved as part of the 1981 PUD allows off-street parking "as indicated on the plan." The 1981 plans did not provide parking spaces for the subject residence or adjacent two-family dwelling at 401 W. Doty Street, though the owner of 401 W. Doty received approval of a minor PD(SIP) alteration in 2006 to construct an addition to that residence, which included a one-car garage accessed from S. Broom Street.

It is the opinion of Planning staff that no off-street parking was anticipated for the subject property when the original PUD zoning was approved in 1981, and that the addition of a parking stall as proposed would not be

consistent with the concept approved previously. The lots created for the subject residence and adjacent two-family dwelling concurrent with the PUD zoning approval appear to have been narrowly contoured to allow those residences to remain while devoting as much of the overall property to the expansion of the adjacent office building at 402 W. Wilson Street and its parking, which extends adjacent to the rear lot line of the Doty Street homes. While the residence on the corner lot at 401 W. Doty Street was able to later add parking in a garage addition accessed from S. Broom Street, no such accommodation would be possible given the historic configuration of the 403 W. Doty residence, which dates back to 1884 and essentially extends from lot line to lot line across the 33-foot wide parcel.

In the event that the Plan Commission can find that the proposed alteration is consistent with the 1981 PUD approval, Planning staff recommends that use of the stall not be permitted until the site plan is revised to clearly show that the parked car can be accommodated entirely on the subject site without encroaching past the front property line into the public right of way. Use of the stall if approved shall also be dependent on the applicant obtaining a perpetual easement/ agreement from the owner of 407 W. Doty Street to allow access to the public street across the neighboring property.

Recommendation

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

If the Plan Commission can find that the proposed alteration to the Planned Development-Specific Implementation Plan is consistent with the concept approved by the Common Council in 1981 in due consideration of the standards of approval for the Planned Development zoning district, it should approve the alteration for 403 W. Doty Street to allow the front yard parking space subject to input at the public hearing and the following conditions:

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

1. The applicant shall submit a fully dimensioned, legible and scaled site plan (1"=20') for final approval by the Planning Division that shows that a standard-size (non-compact) passenger automobile can be parked in the approved space without encroaching past the front property line into the W. Doty Street right of way. [For the purposes of satisfying this condition, staff recommends that an 18-foot deep space be used.] The required plan shall clearly identify the property/ right of way line, existing walls of the residence, all features located in the right of way in front of the property (sidewalk, street tree, sign pole, utility pole, etc.), and the existing/ proposed access to the parking stall from the driveway on 407 W. Doty Street.
2. The applicant shall obtain an easement/ agreement from the owner of 407 W. Doty Street to allow access for the proposed parking space to the public street across the neighboring property in perpetuity. The easement/ agreement shall be recorded prior to final approval, and a copy of the recorded document shall be included in the Zoning file for this PD. Extinguishment of the cross-access easement/ agreement by either party without prior approval of a subsequent PD alteration shall result in a violation of this condition.

The following conditions of approval have been submitted by reviewing agencies:

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

3. The parking stall dimension is not accurate. The maximum length of stall that is available to the property line would be 18.5 feet. See Birrenkott survey of July 7, 2004, Survey No. 2004-00939 at the County Surveyor's Office.
 4. Access is required over the driveway to the west for the proposed configuration. If the parking stall is approved, the applicant shall provide a recorded copy of the easement/agreement permitting the vehicular access over and across the adjacent driveway at 407 W. Doty Street.
 5. Any work within the street right of way, including a drive apron or curb cut, requires a permit from the City Engineering Division.
6. All work in the public right of way shall be performed by a City-licensed contractor.
7. 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).

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

This agency submitted a response with no comments or conditions for this request.

Zoning Administrator (Contact Matt Tucker, 266-4569)

Note: This agency did not provide comments for this request. However, Zoning currently has an order to correct the unapproved parking stall that will either be enforced if the alteration is not approved or satisfied if the alteration is approved and once any conditions of approval are met.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency submitted a response with no comments or conditions for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

8. Note: All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

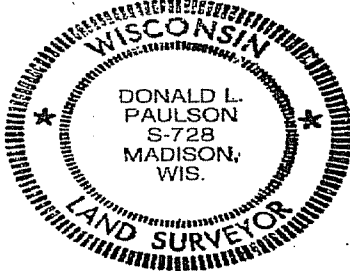
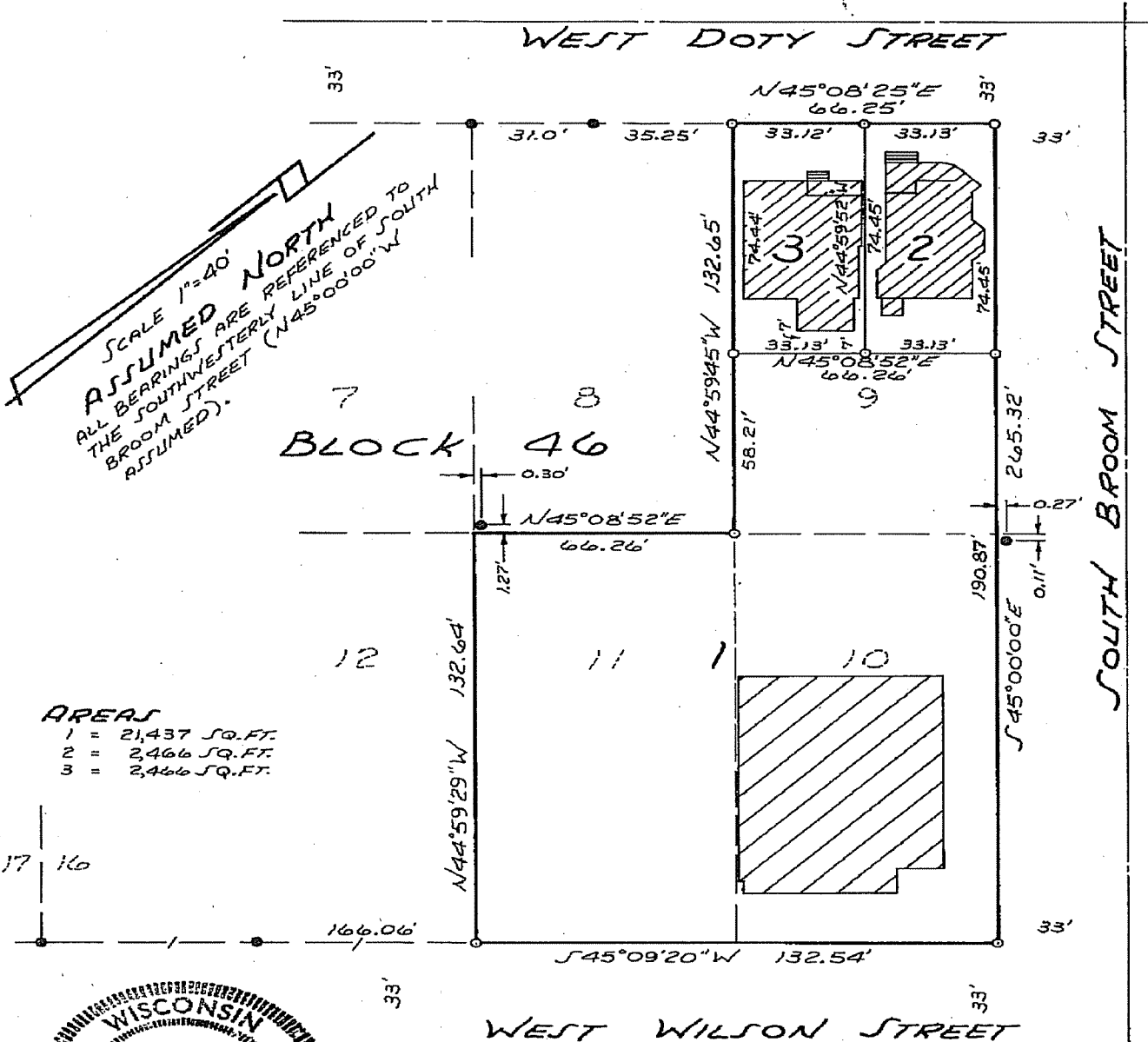
Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

9. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

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CERTIFIED SURVEY MAP
DONALD L. PAULSON
LAND SURVEYOR
MADISON, WISCONSIN

Description

A parcel of land being lots 9, 10, and 11, block 46, original plat of Madison, City of Madison, Dane County, Wisconsin, to-wit:

Beginning at the most easterly corner of said block 46; thence along the northwesterly line of West Wilson Street S45°09'20"W, 132.54 feet; thence N44°59'29"W, 132.64 feet; thence N45°08'52"E, 66.26 feet; thence N44°59'45"W, 132.65 feet to the southeasterly line of West Doty Street; thence along said southeasterly line N45°08'25"E, 66.25 feet to the southwesterly line of South Broom Street; thence along said southwesterly line S45°00'00"E, 265.32 feet to the point of beginning.

This parcel contains 26,369 sq. ft., 0.605 acres.

This survey is recorded for informational purposes and to clarify the records. It is in agreement with all existing City ordinances and more specifically with a Planned Unit Development Plan/Specific Implementation Plan approved by the City on March 31, 1981, and recorded in Vol. 3114, pg. 44, Dane County Registry.

Received for recording this 24 day
of Sept, 1981, at 1:34
o'clock P. M., and recorded in Volume
15 of Certified Surveys, pages 310+311.

Carol R. Mahnke
Carol Mahnke, Register of Deeds
By: Marion Jordan, Deputy

STRANG PARTNERS, INC.
3800 Regent Street
Madison, Wisconsin 53705

ARNOLD AND O'SHERIDAN, INC.
815 Forward Drive
Madison, Wisconsin 53711
Revised September 21, 1981
August 19, 1981
81198-C

CERTIFIED SURVEY MAP NO. 3796

DOCUMENT NO. 1720322

Sheet 2 of 2

From: Jonathan Cooper
Sent: Tuesday, July 21, 2015 4:52 PM
To: Cornwell, Katherine; Parks, Timothy
Subject: 403 W. Doty Street - PD(SIP) Alteration - Approve an existing front yard parking space

To: Katherine Cornwell
Tim Parks
Plan Commission members

Re: 403 W. Doty Street - PD(SIP) Alteration - Approve an existing front yard parking space

The Plan Commission at its July 27 meeting will be considering a request to amend the PD-SIP for 403 W. Doty Street to approve an existing front yard parking space. The owners and occupants of this property, Levi and Amanda Funk, came to the Bassett District monthly meetings in both May and June of this year to discuss their plans to seek approval for this parking space with the neighborhood. In outlining their plans for seeking approval for the front yard parking space at this location, they noted that when this PD was created this parcel was left without any access to off-street parking. As regards the potential for the approval of this front yard parking space to create a precedent for future requests of a similar nature, Levi noted that he had researched other residential PDs in the downtown area and had found no situations that might lead to a similar request. It was also noted that the surrounding property owners have no objections to this front yard parking space and are agreeable to it being approved by the city.

After some discussion, the Bassett residents in attendance at the June meeting came to the consensus that this alteration request was reasonable and that they were in support of the approval of the existing front yard parking space at 403 W. Doty Street.

Jonathan Cooper
Bassett District Chair for Capitol Neighborhoods, Inc.



LAND USE APPLICATION

CITY OF MADISON

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

- All Land Use Applications should be filed with the Zoning Administrator at the above address.
- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed using the Subdivision Application.
- This form may also be completed online at:
www.cityofmadison.com/developmentcenter/landdevelopment

FOR OFFICE USE ONLY:	
Amt. Paid	<u>500</u> Receipt No. <u>04774-0057</u>
Date Received	<u>4/10/15</u>
Received By	_____
Parcel No.	<u>0709 -231-3103-4</u>
Aldermanic District	<u>4 - VERVEER</u>
Zoning District	<u>PD</u>
Special Requirements	<u>PD</u>
Review Required By:	
<input type="checkbox"/> Urban Design Commission	<input type="checkbox"/> Plan Commission
<input type="checkbox"/> Common Council	<input type="checkbox"/> Other: _____

Form Effective: February 21, 2013

1. Project Address: 403 W Doty Street
Project Title (if any): FRONT YARD PARKING SPACE

2. This is an application for (Check all that apply to your Land Use Application):
- Zoning Map Amendment from _____ to _____
 - Major Amendment to Approved PD-GDP Zoning Major Amendment to Approved PD-SIP Zoning
 - Review of Alteration to Planned Development (By Plan Commission)
 - Conditional Use, or Major Alteration to an Approved Conditional Use
 - Demolition Permit
 - Other Requests: _____

3. Applicant, Agent & Property Owner Information:

Applicant Name: Levi Funk Company: _____
 Street Address: 403 W Doty St #1 City/State: Madison, WI Zip: 53703
 Telephone: (608) 403-5384 Fax: () Email: levifunk@gmail.com

Project Contact Person: Levi Funk Company: _____
 Street Address: 403 W Doty St #1 City/State: Madison, WI Zip: 53703
 Telephone: (608) 403-5384 Fax: () Email: _____

Property Owner (if not applicant): _____
 Street Address: _____ City/State: _____ Zip: _____

4. Project Information:

Provide a brief description of the project and all proposed uses of the site: Change PD to approve existing parking space at 403 W Doty St.

Development Schedule: Commencement _____ Completion _____

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5. Required Submittal Information

All Land Use applications are required to include the following:

Project Plans including:*

- Site Plans (fully dimensioned plans depicting project details including all lot lines and property setbacks to buildings; demolished/proposed/altered buildings; parking stalls, driveways, sidewalks, location of existing/proposed signage; HVAC/Utility location and screening details; useable open space; and other physical improvements on a property)
- Grading and Utility Plans (existing and proposed)
- Landscape Plan (including planting schedule depicting species name and planting size)
- Building Elevation Drawings (fully dimensioned drawings for all building sides, labeling primary exterior materials)
- Floor Plans (fully dimensioned plans including interior wall and room location)

Provide collated project plan sets as follows:

- **Seven (7) copies** of a full-sized plan set drawn to a scale of 1 inch = 20 feet (folded or rolled and stapled)
- **Twenty Five (25) copies** of the plan set reduced to fit onto 11 X 17-inch paper (folded and stapled)
- **One (1) copy** of the plan set reduced to fit onto 8 ½ X 11-inch paper

* For projects requiring review by the **Urban Design Commission**, provide **Fourteen (14) additional 11x17 copies** of the plan set. In addition to the above information, all plan sets should also include: 1) Colored elevation drawings with shadow lines and a list of exterior building materials/colors; 2) Existing/proposed lighting with photometric plan & fixture cutsheet; and 3) Contextual site plan information including photographs and layout of adjacent buildings and structures. The applicant shall bring samples of exterior building materials and color scheme to the Urban Design Commission meeting.

Letter of Intent: Provide one (1) Copy per Plan Set describing this application in detail including, but not limited to:

- | | | |
|---|---|--|
| • Project Team | • Building Square Footage | • Value of Land |
| • Existing Conditions | • Number of Dwelling Units | • Estimated Project Cost |
| • Project Schedule | • Auto and Bike Parking Stalls | • Number of Construction & Full-Time Equivalent Jobs Created |
| • Proposed Uses (and ft ² of each) | • Lot Coverage & Usable Open Space Calculations | • Public Subsidy Requested |
| • Hours of Operation | | |

Filing Fee: Refer to the Land Use Application Instructions & Fee Schedule. Make checks payable to: *City Treasurer*.

Electronic Submittal: All applicants are required to submit copies of all items submitted in hard copy with their application as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or by e-mail to pcapplications@cityofmadison.com.

Additional Information may be required, depending on application. Refer to the Supplemental Submittal Requirements.

6. Applicant Declarations

Pre-application Notification: The Zoning Code requires that the applicant notify the district alder and any nearby neighborhood and business associations in writing no later than **30 days prior to FILING this request**. List the alderperson, neighborhood association(s), and business association(s) AND the dates you sent the notices:

Mike Verveer & Johnathan Cooper, May 11th 2015

→ If a waiver has been granted to this requirement, please attach any correspondence to this effect to this form.

Pre-application Meeting with Staff: Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning and Planning Division staff; note staff persons and date.

Planning Staff: _____ Date: _____ Zoning Staff: Matt Tucker Date: 5/12/15

The applicant attests that this form is accurately completed and all required materials are submitted:

Name of Applicant Levi Funk Relationship to Property: Owner
Authorizing Signature of Property Owner  Date 6/10/15

Letter of Intent
403 W Doty St PD Alteration
6/10/2015

This letter is to request an alteration of our PD (Planned Development) to include a single parking space in the front of our house at 403 W Doty St. The parking space is located on the north-west corner of our property measuring 10' x 19'-8" and constructed of permeable pavers to provide the least possible impact visually and environmentally speaking.

We purchased the house 6 years ago with the intention of fixing it up and holding it as a rental property. As we renovated the house, we got to know our neighbors and really enjoy living in this house and neighborhood. We have no intention of leaving. However, as our family grows (first baby last June), it is becoming clear that living here is unsustainable without a parking spot.

It is the City's intention to have Owner Occupied residents, especially young families as we are, to live in the Bassett Neighborhood. Prior to our purchasing this house the City was offering ~\$50,000 forgivable loans (Small Capital Tax Incremental Financing) to attract owner occupancy in the Bassett Neighborhood. We have not received any money from the city to live downtown.

The building to our south is the American Academy of Cosmetic Dentistry (previously the National Bar Association). When this was built, they purchased the back half of 401 and 403 W Doty to create enough room for a parking lot. The problem is that in creating parking space for the new building, they didn't consider parking for the existing homes. The Schauf's bought 401 W Doty in 2005 and built an attached garage onto their home which is accessed from Broom St. Our property, 403 W Doty, has no access to the rear of the house. I believe this was an error in composition of the original PD creation.

In discussion of our intent with various city parties and neighborhood association members the phrase 'not setting a precedent' has arisen. The following research was done in order to ensure that the approval of this parking spot would not set a precedent going forward. I downloaded the database of all PD properties in Madison from the City Assessor's Office. There are nearly 15,000. Of those, 100 are Residential properties in the downtown area. When you eliminate those that do not have either a parking space or a driveway, there are only 19 such properties. 15 of those lack the setbacks to ever put a parking space in, which leaves these 4 properties:

1236 Mound St – It's front yard setback is only 12', but this is a corner lot and could potentially add a parking space or garage access from Orchard St in the same way Schauf's did at 401 W Doty.

625 E Gorham St – This has a 17' front yard setback which is small. DOT recommends 19' for a parking stall. They may be able to fit a compact car space similar to 315 W Doty St.

1047 E Wilson St – While it is not listed as having a shared driveway on the City Assessor's database, there is a 2 car wide apron in between 1045 E Wilson and this property which they appear to share.

403 W Doty St – Our House.

The only place we were able to put a parking space is in the front. While technically a "driveway", the neighbors to our west (407 W Doty) park in front as well (our parking space is adjacent to this space, so is side by side with another vehicle). Across the street, 404 W Doty, has a grandfathered front yard parking space. Visually, this parking space is not out of place. We've talked with the neighborhood and none of the neighbors have objected. All of the adjacent neighbors and the Bassett Neighborhood Association actively support this petition as written.

Thank you for your consideration,

Levi, Amanda and Bascom Funk

From: Scott and Megin McDonell, 404 W. Doty Street
John and Suzanne Schauf 401 W. Doty Street

To: Members of City of Madison Plan Commission

Date: July, 2015

RE: File #: 38933
Consideration of an alteration to an approved Planned Development (Specific Implementation Plan) to consider a site plan revision for an existing, non-approved front yard parking space for an existing residence at 403 West Doty Street; 4th Ald. District.

Background:

Amanda and Levi Funk purchased and moved into their house on 403 W. Doty Street in April of 2009 and immediately began renovating the property. The home needed extensive immediate improvements including foundation work, structural support, electric service upgrade. Over the last 6 years of owning the house they have also remodeled their kitchen, all bathrooms, replaced flooring, wiring, and plumbing. Outside they painted the house, improved landscaping, and created a garden where there were overgrown tree stumps.

In 2014 they had their first child, Bascom. Previously, they were able to manage their parking situation through a combination of street parking and for a time parking in front of the house. That became untenable when they had Bascom. It is extremely difficult to deal with the baby, groceries, etc. in winter. Often the only parking available on the street is a block or more away from the house. Additionally, Grandma is coming from out of town to watch Bascom 2 days a week and has nowhere to park during the days.

403 W. Doty is part of a Planned Development that was created in 1981 in conjunction with 401 W. Doty, 208 S. Broom, and 402 W Wilson. The State Bar Association already owned 401 and 403 W Doty and used them as rental properties. To expand their parking lot, they purchased and demolish 208 S. Broom St. That land, as well as the back half of the 403 W. Doty lot, was used to build surface parking for the State Bar, but in the process eliminated the parking for both 401 and 403 W Doty. It also removed all access to parking for 403 W. Doty. This was part of a general move at the time of single family homes in the neighborhood being converted to apartments to handle the boom in enrollment at the University.

The Funk's enjoy living downtown in the Bassett neighborhood and would like to stay, but the parking situation for them is unsustainable, especially since they plan on having more children.

Proposed Amendment for Plan Commission:

That the alteration to the Planned Development at 403 W. Doty include the following addition:
"Approval of the front yard parking spot is granted only due to the previous removal of on-site parking by the PUD, the lack of access to another on-site parking spot, and the presence of an owner occupant per the adopted Bassett Neighborhood Plan."

Justification:

The Basset Neighborhood, at its June meeting voted unanimously to support this site plan revision. The support stemmed from The Bassett Neighborhood Plan. The plan, as adopted by the Common Council, states:

"The **primary** goal for the Basset Neighborhood is to create a stable, long-term residential population while maintaining the historic scale and character of the neighborhood. This planning goal recognizes that the neighborhood also serves a commercial, entertainment, institutional center and a major entrance for downtown Madison. Important objectives to be considered in achieving this goal include:

1. Promote owner-occupied and long-term rental housing opportunities.
2. Provide high quality housing choices including rehabilitation of existing housing stock and new construction in scale with the neighborhood."

In addition the plan notes that, the plan states:

- "There are very few families and owner occupants [in the neighborhood]... and is dominated by renters."

pg 7

- “Establishing the Bassett Neighborhood as a stable residential neighborhood will require improvements to existing housing stock; quality infill housing, neighborhood retail and support services; improved access, parking and open space; and improved building character to better compliment the historic character of the neighborhood. pg 16
- There is a high degree of transient residents who are less motivated to protect their homes compared to owners and long-term renters. The lack of property maintenance conveys an image of absentee-ownership.” pg 18
- Sweat-Equity Rehabbers - **This group was influential in turning around the First Settlement Neighborhood.** [This group] often takes on and completes extraordinary renovation projects. Existing multi-family properties with character would appeal to this group. Normally purchase for affordability and experience. pg 19

In addition, the City of Madison in 2007 allocated \$400,000 for the Small Cap TIF program for the Bassett Neighborhood. That legislation stated:

“WHEREAS the proposed Bassett Neighborhood Small Cap TIF Program (“Program”) would make loans to individuals purchasing and/or owning and renovating rental property in the District to convert into one or more owner-occupied units, to be occupied by the borrower as a principal residence for a period of not less than ten (10) years;”

I believe this is a matter of competing values. One is to prevent unsightly front yard parking, which is reasonable. However, the neighborhood and City Council have strongly stated and reaffirmed through vote and funding allocation that the *more* important value for the Bassett area is attracting and keeping sweat-equity home owners who will improve the neighborhood, maintain the original feel of the neighborhood, and attract other pioneers to settle with children downtown.

The proposed amendment language is intended to restrict this parking exception to a subset of properties in Madison. Our analysis is that as worded this exception would apply to 4 parcels or less in the City of Madison. (below)

A small group of us in Bassett have been laboring for years to make the improvements listed in the Neighborhood plan. On that corner of Broom and Doty, one owner occupied home has now turned into five. Please help us maintain our momentum and approve this petition.

**Effect of Proposed Amendment:
Analysis of PD parcels in the Greater Downtown Madison Area**

It is our stance that the lack of parking at 403 W. Doty is a result of a previous error during the PD creation. Allowing this parking would be a rectification of that error. We understand there is a fear that allowing this parking space would open the gates for many more parcels, so we asked Levi to look into how many other parcels would be effected by the language included in this memo.

Data was downloaded from the City Assessor’s Office. In Madison, there are nearly 15,000 PD zoned properties. The vast majority of these are Commercial buildings or large Apartment/Condo buildings. When filtering out just residential properties in the Downtown Wards (42-68), there are only 100 properties.

Of these 100 properties, 70 already have a driveway or garage. Another 10 properties are located on the 300 Block of W. Doty and W. Wilson and have a communal backyard parking and garage spaces. This leaves only 20 properties.

Fifteen do not have the set-backs to even make parking a possibility. One of these parcels (39 N. Randall Ave) has already been demolished. Another parcel (1047 E. Wilson St) appears to have a shared double wide driveway with its neighbor though this is not noted on the Assessor’s database. The remaining 3 parcels are the only properties in Madison that would be within consideration; 1236 Mound St, 625 E. Gorham St, and 403 W. Doty St. It may be possible for 1236 Mound St and 625 E. Gorham St to install a parking space for a compact car, but only 403 W. Doty has the set back to fit the standard DOT recommended depth of 19 ft. for a parking space.

Images

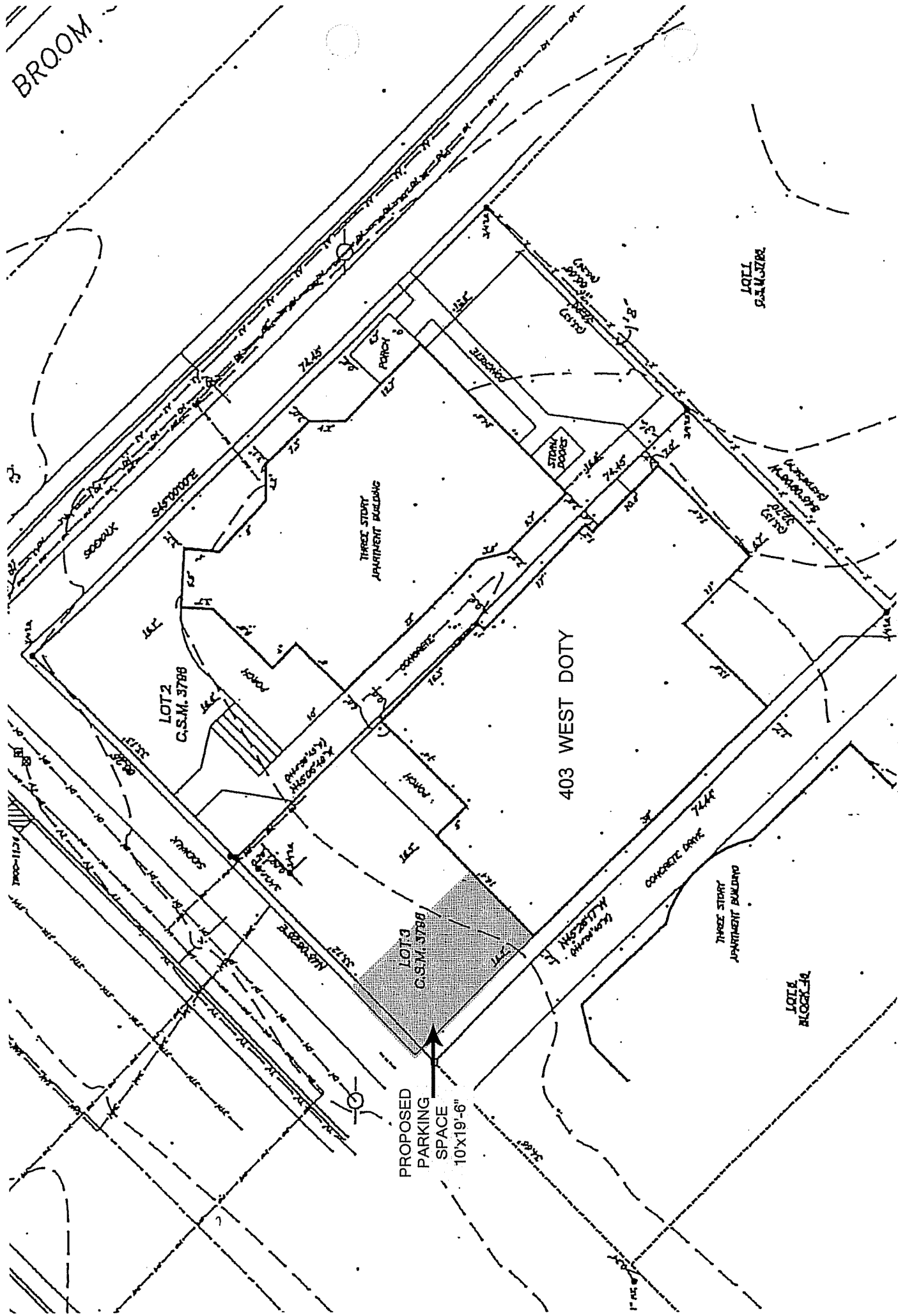
View of parking space looking down the sidewalk. This car is always parked here as the access to the back of the two houses is blocked. No aesthetic value is gained by denying the parking space.



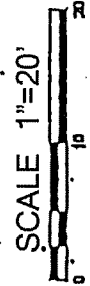
View from the front shows 401 and 403 W. Doty Street



BROOM



PROPOSED PD ALTERATION PLAN
 403 W. DOTY ST. MADISON, WI 53703



LOT 14
 BLOCK 14