

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
July 16, 2008**

RE: LD. NO. 10860 119, 123 & 125 NORTH BUTLER STREET and 120 & 124 NORTH HANCOCK STREET - ZONING MAP AMENDMENT

1. Requested Action: Approval of a request to rezone property at 119, 123 and 125 North Butler Street and 120 and 124 North Hancock Street from the PUD (GDP) Planned Unit Development (General Development Plan) District to the PUD (SIP) Planned Unit Development (Specific Implementation Plan) District to allow construction of a new 38-unit apartment building on the Butler Street frontage as part of a project that will also incorporate and continue the current use of two existing two-unit houses on the Hancock Street frontage.
2. Applicable Regulations: Section 28.07(6) of the Zoning Code provides the framework and guidelines for approval of Planned Unit Developments; Section 28.12(9) provides the process for review and approval of zoning map amendments.
3. Report Drafted By: Michael Waidelich, Principal Planner.

GENERAL INFORMATION:

1. Applicant: Cliff Fisher, Cliff Fisher Development, 107 North Hancock Street, Madison, Wisconsin 53703. Contact Person: James McFadden, McFadden & Company.
2. Status of Applicant: Owner.
3. Development Schedule: Begin development August 2008; completion Summer 2009.
4. Parcel Location: Five contiguous parcels extending through the middle of the 100-block between North Butler Street and North Hancock Street. Aldermanic District 2.
5. Parcel Size: Approximately 0.47 acres (20,625 sq. ft.).
6. Existing Zoning: PUD (GDP) Planned Unit Development (General Development Plan) District.
7. Existing Land Use: The site is currently developed with three multi-unit houses on North Butler Street (two of which will be demolished and one of which will be moved), and two, two-unit houses on North Hancock Street, to be retained as part of the planned unit development.
8. Surrounding Land Use and Zoning:

The 100 block between North Butler and North Hancock Streets consists primarily of older houses with from two to seven apartments per building, but predominantly comprising two and three-unit residences. Two larger, relatively newer apartment buildings, each with 22 units, are located approximately mid-block on both the North Hancock Street and East Johnson Street frontages. There are several smaller "urban" apartment buildings and a small food market on the East Mifflin Street frontage, and a small mixed-use building at the North Butler Street/East Johnson Street corner. The entire block is zoned R6 General Residence District, except for the one-lot commercial use on East Mifflin Street zoned PUD(SIP) Planned Unit Development-Specific Implementation Plan.

Northeast: (Across North Hancock Street) Large older houses ranging from one to four units per building; zoned R6 General Residence District.

Southwest: (Across North Butler Street) the Madison Parking Utility's Capitol North parking ramp and older residential buildings ranging from one to four units on the North Butler frontage; zoned C2 General Commercial District and R6 General Residence District.

9. Adopted Land Use Plan: The *Comprehensive Plan* designates this block as part of the First Settlement-Old Market Place Downtown Residential Sub-District. There is no current neighborhood plan or special area plan covering this area.
10. Environmental Corridor Status: No Environmental Corridors are designated on this property.

PUBLIC UTILITIES AND SERVICES:

The full range of urban services is currently available to this property.

ANALYSIS AND EVALUATION:

Planning Status

This is a request for approval of Planned Unit Development (Specific Implementation Plan) District zoning on five lots extending between North Butler Street and North Hancock Street in the middle of the 100 block. The proposed project will include construction of a new 38-unit building on the three North Butler Street lots, while two existing two-unit houses on North Hancock Street will be retained and incorporated as a part of the planned unit development. Two existing buildings on North Butler Street will be demolished and a third will be relocated to accommodate the new building.

The Planned Unit Development (General Development Plan) zoning for this project was conditionally approved by the Madison Common Council on February 5, 2008. The conditions of approval have been addressed and the General Development Plan has been recorded. Demolition/relocation permits for the three existing North Butler Street buildings were conditionally approved by the Plan Commission on January 28, 2008.

Key issues considered in the review of the GDP were the large scale and depth of the proposed new building compared to surrounding neighborhood structures; the unusual "through block" design of the project, which could limit future consideration of more-comprehensive approaches to redevelopment of other properties on the block; and the lack of a detailed neighborhood plan that could provide specific recommendations on land use, density and design issues, and an articulated vision to guide future development and/or preservation in this portion of the neighborhood. On balance, the Plan Commission and Common Council determined that the project was compatible with community planning objectives and recommendations, and approved the General Development Plan. Review of the Specific Implementation Plan for this project, therefore, is based primarily on its consistency with the approved General Development Plan and other applicable standards and regulations.

Project Description

The proposed project is located on five existing lots extending through the one-hundred block between North Butler Street and North Hancock Street. To accommodate the project, the buildings located at 123 and 125 North Butler Street will be demolished and the building located at 119 North Butler Street will be moved to another location (520 East Johnson Street). The two existing

buildings at 120 and 124 North Hancock Street, each with two three-bedroom apartments, will be renovated and converted to condominium units, and are included in the proposed planned unit development. Three existing garages in the rear yards of the five properties will be demolished.

A new four-story building will be constructed on the combined Butler Street sites. This building will extend back to about 10 feet from the current rear lot lines at mid-block, and will have an underground parking level which extends onto the current lots of the two buildings on Hancock Street. The garage proposed in the SIP extends slightly farther back than proposed in the GDP. The parking level will be accessed from Hancock Street via a new entrance ramp constructed on the alignment of the existing driveway between the two houses, entering the parking garage about 9 feet beyond the rears of the two buildings. The roof of the parking level will be covered with soil and planted, and this open space will essentially be a level extension of the rear yards to the south, although there is some grade change at the north edge due to the underlying topography of the block.

The design of the new four-story building is intended to reflect characteristics of the predominant housing type on this block, which is comprised primarily of large gable-roofed houses, although some other building types are also present. The building street facade features two end elements set back about 20 feet from the lot line (not counting porches) flanking a narrower middle element set somewhat farther back. The ground floor (above the parking garage) is set about one-half story below grade level at Butler Street, and is essentially at grade at the rear of the building due to the slope of the lot. Grading at the Butler Street frontage will create an elevated berm that visually hides the lowest level, so the building will appear as three stories from that perspective. The main entrance is located in the middle element and features a split stairway which leads both to the building entrance and central hallway on the first floor, and to the individual porches serving the two front units on the first floor. The front windows of ground level units fronting Butler Street open to the space beneath the front porches.

Inside the building, an elevator and two sets of stairs provide access to units on the ground, second and third floor levels. There is also a pedestrian walkway from Butler Street to a building entrance on the ground floor of the north side of the building which leads to the elevator and one of the sets of stairways. An outdoor parking area with 10 bicycle stalls is located adjacent to this side entrance. The bicycle parking area by this entrance has been reduced in size from the GDP plans, which indicated 20 bike parking spaces, apparently due to necessary grading along that side of the building. There also is an entry to the building at the northwest corner of the building which opens out to the open space above the underground garage.

There are three-story porches across the front of the building, serving the first, second and third floors of the two flanking end elements. The set-back central element has a matching open porch or balcony on the second floor only. Similar, but narrower three-level porches are shown at the sides and rear of the building, with corresponding patios for the ground floor units. Most, but not all, units will have a private porch, balcony or patio.

The new building is planned to have 38 apartments. There will be two 2-bedroom units, twenty-two 1-bedroom units, and fourteen studio units. All of the units have a combined living/dining/kitchen area with separate bedrooms or sleeping area, and one full bathroom. There is a laundry room on the first floor. Presumably, features such as mailboxes for the units are also located in or near the main entry hallway, but this is not clear on the plans submitted.

The parking level has 38 enclosed parking stalls, including one designated handicap space near the elevator. Counting the four units in the two renovated houses on Hancock Street, there are a total of 42 units in this project; so slightly less than one parking space per unit is provided. The plans also indicate that 32 bicycle parking spaces will be provided in the parking garage at two locations near the elevator and stairs to the upper levels of the building. This is an increase from the 10 bicycle spaces shown in the GDP, and helps to offset the reduced number of outside bicycle parking spaces near the side entrance. No specific arrangement for the inside bicycle parking spaces was indicated on the plans. A designated (but not enclosed) space for trash and recycling collection receptacles (presumably dumpsters) is located against the north wall of the garage about midway in from the entrance. In the GDP, the trash enclosure was located just inside the garage entrance.

The Specific Implementation Plan also includes additional details regarding the renovation of the two buildings on North Hancock Street which will be retained as part of this project. It is proposed to remodel the rear portions of both buildings to replace the current unattractive exterior wood stairways/fire escapes with new interior stairways at the backs of the buildings. The existing interior stairways at the fronts of both buildings will remain unchanged. In addition to removing the existing outside fire escapes, small exterior additions/changes will be made to the rear elevation of the 124 North Hancock building and an existing dormer will be removed from the 120 North Hancock building as part of this remodeling. Interior reconfiguration associated with these changes will result in the loss of one bedroom from the upper unit in the 124 North Hancock building. New steps, landings and decks will connect the Hancock Street buildings to the common open space area and the driveway entrance to the underground parking garage.

The landscape plan for the project indicates a fairly dense planting of shrubs and other plants around the front entrance and along the front side of the new Butler Street building, with additional plantings near the side entrance, and along the north and south sides of the building between the individual patios. Two existing walnut trees at the northeast corner of the Butler Street lots will be retained, and supplemented with additional plantings at that corner. Additional plan sheets dated July 8th submitted to the Urban Design Commission indicate that landscaping within the common open space area will include shrubs and ground planting beds located within the proposed walkway between the Butler Street and Hancock Street buildings. Three small trees are proposed along the southern property line. The additional plans provided to the UDC also indicate limited landscaping along the rear edges of both Hancock Street buildings, on the narrow ledges overlooking the depressed driveway down to the parking garage. The existing landscaping at the front of the Hancock Street buildings will remain. The approved General Development Plan showed a system of connected patios and walkways through this open space area, as well as three larger trees in the central portion of the open space. These features are not included in the SIP plans.

Except for what can be assumed from the building elevations and renderings, the information submitted with the Specific Implementation Plan application doesn't include details regarding building materials and colors, although the GDP staff report noted that this information should be included with a future SIP.

Urban Design Commission Action

The Urban Design Commission granted this project Conditional Final Approval at their July 9, 2008 meeting. The conditions of approval included:

- Provision of detailed information regarding building materials and related building and site elements.
- Enhanced landscaping within the common open space area.
- Consideration of on-site stormwater retention and infiltration.

These revisions are to be submitted for review and approval by the Urban Design Commission (See attached UDC Report).

Inclusionary Zoning

The proposed Butler Street building will consist entirely of rental units, and the four proposed condominium units in the two Hancock Street houses to be retained comprise less than ten owner-occupied units, so this project is not subject to inclusionary zoning regulations.

CONCLUSION:

While there have been some minor changes, the proposed Specific Implementation Plan for this project is essentially identical to the General Development Plan that was approved by the Plan Commission and Common Council. The few revisions to the GDP described in the evaluation above are considered to be relatively minor, and Planning Division staff generally have no objection to them. The SIP provides additional details regarding the renovation of the Hancock Street houses to relate better to the common open space area and the new Butler Street building, and the proposed remodeling of these two buildings addresses several issues noted in the staff review of the GDP. However, staff think the landscaping plan proposed in the SIP for the common open space area eliminates several desirable features that were included in the GDP plans, and recommend that this landscaping be reviewed further prior to final sign-off on this project. Finally, as noted above, limited information was provided with the SIP application regarding building materials, colors, and other building element details; and this information must be reviewed and approved, and included in the final recorded Specific Implementation Plan documents. Because these same issues were also identified by the Urban Design Commission, staff recommend that approval of this Specific Implementation Plan be subject to the conditions recommended by the Urban Design Commission. If the concerns noted are adequately addressed, staff believe that the standards for approval of this Planned Unit Development can be met.

RECOMMENDATION:

Planning Division staff recommend that the request to rezone property at 119, 123 and 125 North Butler Street and 120 and 124 North Hancock Street from the PUD (GDP) Planned Unit Development (General Development Plan) District to the PUD (SIP) Planned Unit Development (Specific Implementation Plan) District be **approved**, subject to:

1. Comments of the reviewing agencies.
2. Urban Design Commission approval.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
1 866 704 2315 Textnet

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

Principal Engineers
Michael R. Dalley, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: July 8, 2008

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 119, 123 & 125 North Butler and 120 & 124 North Hancock Rezoning

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

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

1. City Engineering review indicates the owner shall convey public inter-lot drainage easements and probable that public sanitary and storm easements will also be required. The ideal and most efficient manner to accomplish this is for the owner to submit to the City of Madison a Certified Survey Map (CSM) and recording the same. Another alternative, the owner may request the City of Madison Real Estate Unit administer the necessary easements. Real Estate requires a \$500 administrative fee, and most likely more time to complete the easements than the submittal, approval and recording of the CSM.
2. Roof drainage from 121 N. Butler shall be connected to storm sewer in Butler Street.

GENERAL OR STANDARD REVIEW COMMENTS

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

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

Name: 119, 123 & 125 North Butler and 120 & 124 North Hancock Rezoning

General

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing

5



and proposed utility locations and landscaping.

- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 Submit a PDF of all floor plans to Lori Zenchenko izenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at Jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

5

- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
- b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
- b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
- b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
- b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

Streets and Sidewalks

3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.

3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City

5

Engineer along _____.

- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. 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 City Parks Department - dkahl@cityofmadison.com or 266-4816.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.

5

- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle) off of new paved surfaces
 - Control 80% TSS (5 micron particle) off of new paved surfaces
 - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.
 - Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words "unplatted"
 - h) Lot/Plat dimensions
 - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

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

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

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

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

- 4.14 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

Utilities General

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

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. This permit application

6

is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

July 15, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **119, 123, & 125 North Butler Street, 120 & 124 North Hancock Street – Rezoning – PUD (GDP) to PUD (SIP) – 34 Unit Apartments**

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

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

1. A condition of approval shall be that no residential parking permits shall be issued for 119, 123 & 125 North Butler Street, 120 & 124 North Hancock Street, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement 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 for 119, 123 & 125 North Butler Street, 120 & 124 North Hancock Street, a copy of the lease noting the above condition in the lease when submitting plans for City approval.
2. The applicant shall modify the design for the underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall. Or use "One Size Fits All" stall maybe used for the underground parking area only, which is a stall S = 8'-9" in width by L = 17'-0" in length with a E = 23'-0" backup. The applicant shall modify that Stair cases, Elevators shafts, Aisles, ramps, *columns*, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

3. None

GENERAL OR STANDARD REVIEW COMMENTS

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

4. 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), 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'.
5. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
6. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: James McFadden
Fax: 608-251-1325
Email: mcfadden@mailbag.com

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: July 21, 2008

To: Plan Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: 119, 123 & 125 N Butler St, 120 & 124 N Hancock St.
Present Zoning District: R-6

Proposed Use: Remove 1 house, demo 2 houses and 3 garages and build a 4 story apartment building. (2 existing 2 units with 3 bdrms each unit. Proposed bldg has 12 eff. , 23 one bdrm units and 3 two bdrm units)

Requested Zoning District: PUD(GDP)

Conditional Use: 28.04(22) Demolition/removal of principal buildings requires Plan Com. approval

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

GENERAL OR STANDARD REVIEW COMMENTS

1. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of **one** accessible stall striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent. The stall and access to the stall shall have a minimum of 8' 2" ceiling clearance.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance/**elevator** as possible. Show ramps, curbs, or wheel stops where required.

2. Provide one bike parking stall per each dwelling unit in safe and convenient locations on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

3. The zoning text shall be modified to include the following: a) Under Statement of purpose or permitted uses, the number of dwelling units existing to remain and number of dwelling units in the proposed building. b) Under Signage add "Signage shall be approved by the Urban Design Commission. c) The zoning text heading shall include PUD(GDP).
4. Show building addresses on the final site plans.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	18,150 sq. ft.	20,625 sq. ft.
Lot width	50'	90.25'
Usable open space	3,570 sq. ft.	8110 sq. ft.
Front yard	20'	1' 8" *
Side yards	11' left side, 24.5' right side	11' left side, 0' right side *
Through Lot	20'	Existing setback Hancock St
Floor area ratio	2.0	1.48
Building height	--	3 stories

Site Design	Required	Proposed
Number parking stalls	0' (Central Business Distr.)	38 garage
Accessible stalls	1	(2)
Loading	1 (10' x 35') area	provided in drive aisle
Number bike parking stalls	1 per each dwelling unit	(1)
Landscaping	Yes	(To be approved with SIP)
Lighting	Yes	(To be approved with SIP)

Other Critical Zoning Items	
Urban Design	Yes
Flood plain	No
Utility easements	None shown
Barrier free (ILHR 69)	Yes

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

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



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295
Phone: 608-266-4484 • FAX: 608-267-1153

DATE: 7/7/08
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **119, 123, & 125 N. Butler St./ 120 & 124 N. Hancock St.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

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

1. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.

GENERAL OR STANDARD REVIEW COMMENTS

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

2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
3. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan

AGENDA # 7

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: July 9, 2008
TITLE: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street - PUD(GDP) and PUD-SIP for a New 38- Unit Apartment Building with the Retention of Two Existing 2-Unit Buildings. 2nd Ald. Dist. (06302)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: July 9, 2008	ID NUMBER:

Members present were: Lou Host-Jablonski, Richard Wagner, Bruce Woods, Marsha Rummel, Bonnie Cosgrove, Richard Slayton, John Harrington and Todd Barnett.

SUMMARY:

At its meeting of July 9, 2008, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD(GDP) and PUD-SIP located at 119, 123 and 125 North Butler Street and 120 and 124 North Hancock Street. Appearing on behalf of the project was James McFadden, representing Cliff Fisher. McFadden presented an overview of the finalized buildings elevations, referencing a materials/color palette noting the use of the hardy product with recycled content for siding and asphalt roof shingles. McFadden provided a review of the roof deck design and landscaping in addition to lighting details. He noted that previously proposed access below the front porch from lower level units has now been eliminated. Following the presentation the Commission noted the following:

- Problem with removal of the previously proposed rain garden relevant to where stormwater goes. Need to provide for on-site facilities.
- The previously proposed green roof over the parking garage needs work.
- Need to relook at landscaping beyond the minimal level provided.
- The landscape plan provides for too many evergreens in mass and stacks. Need more deciduous flowering shrubs.
- Provide a rain garden in the north central area as previously proposed.
- Not keen on the crushed granite walkway as proposed.
- Create a shallow pond with a high inlet on the proposed "green roof."
- Need to provide more active programming for the roof space.
- Need to provide a walkable but usable surface for handicapped access on the garage's green roof.
- Place additional trees and landscaping in the blank space at the rear of the new building on the green roof.

ACTION:

On a motion by Slayton, seconded by Harrington, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (6-2) with Barnett and Rummel voting no. The motion required that further development of the green roof include a pond/rain garden amenities, including additional landscaping and improvements to walkways to return to staff for approval.

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

URBAN DESIGN COMMISSION PROJECT RATING FOR: 119, 123 & 125 North Butler Street and 120 & 124 North Hancock Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	5	-	-	-	-	-
	6.5	7	5.5	-	-	-	7.5	7
	-	-	-	-	-	-	-	5
	5	5	5	-	-	5	5	5
	-	5	3	5	-	3	5	4
	5	5	4	-	-	5	6	5
	6	6	5	-	-	5	-	5

General Comments:

- Appreciate use of standard brick. Disruption of historic rhythms of block sets precedent. Put in rain gardens. Pathway should be accessible and make open space usable.
- Landscape planning needs work.
- The landscaping does not support site or architecture. Needs stormwater management plan.
- Landscape plan needs work, but plan is otherwise OK.
- Provide trees over structural column (mound earth) in yard. Provide rain garden(s).