



City of Madison

Proposed Demolition, Rezoning & Conditional Use

Location
1419 Monroe Street

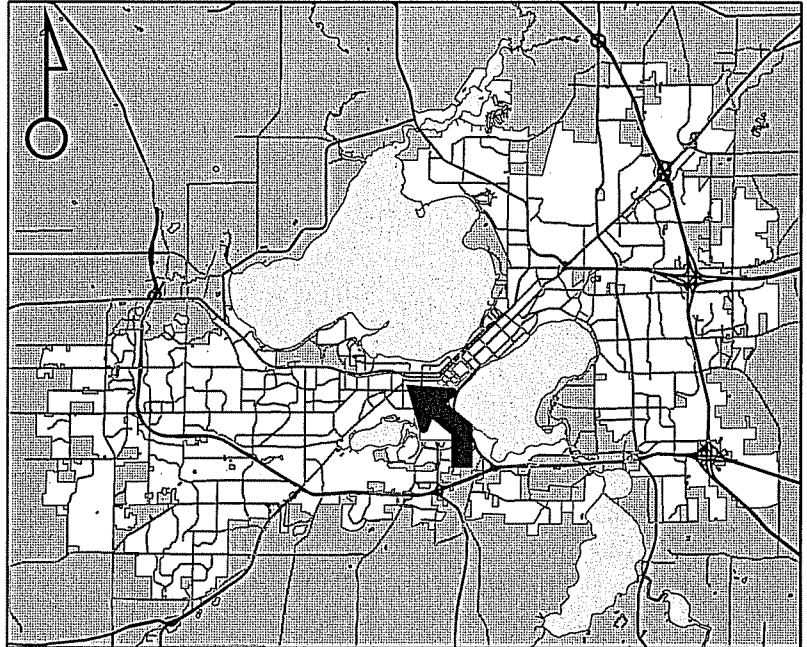
Applicant
McJingles, LLC/Jerad Protaskey –
Opus Development Company, LLC

From: CC-T To: TSS

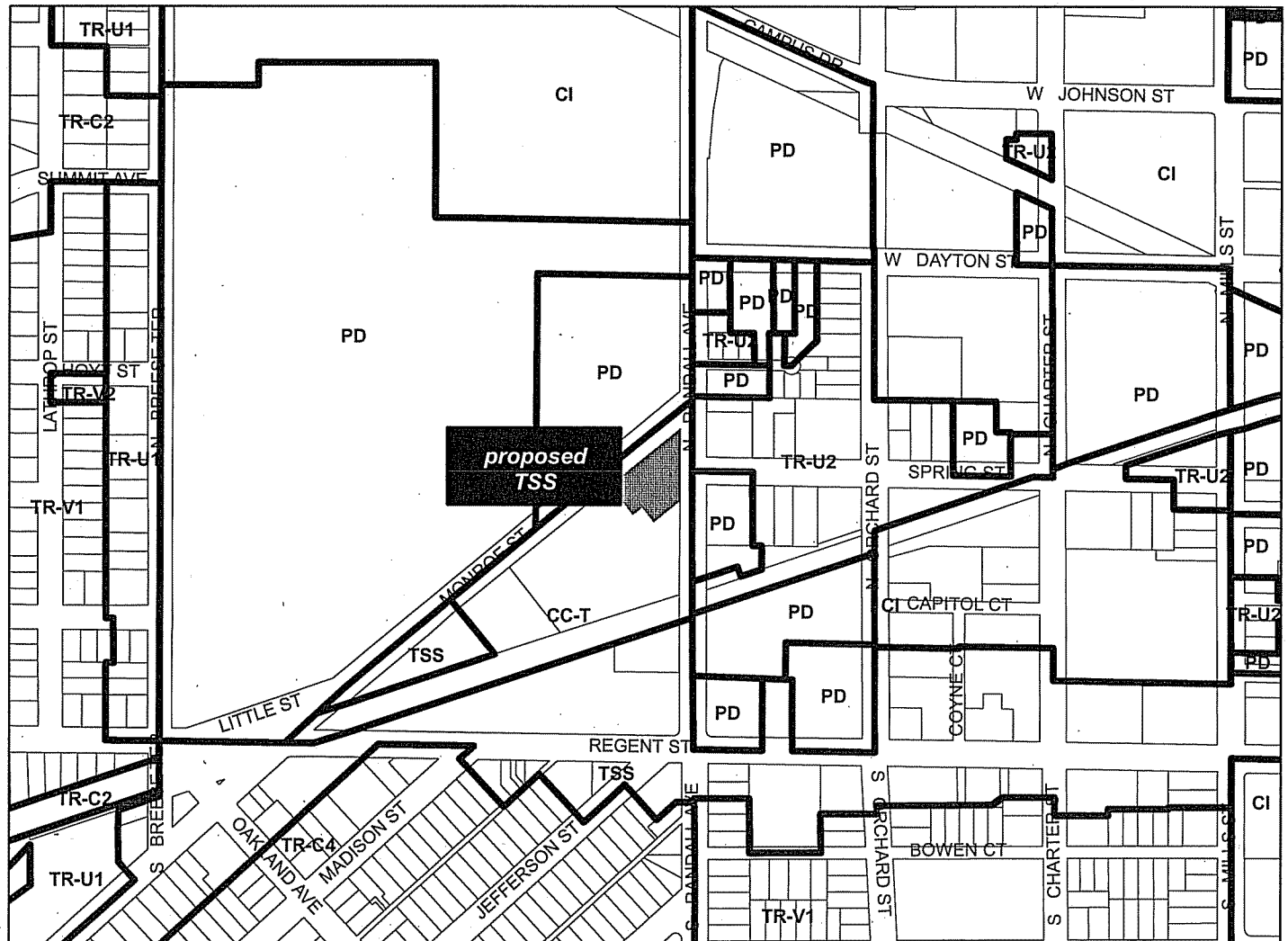
Existing Use
Tavern

Proposed Use
Demolish a restaurant/tavern to allow
construction of a mixed-use building with
approximately 7,900 square feet of retail
space and 72 apartments

Public Hearing Date
Plan Commission
08 April 2013
Common Council
16 April 2013



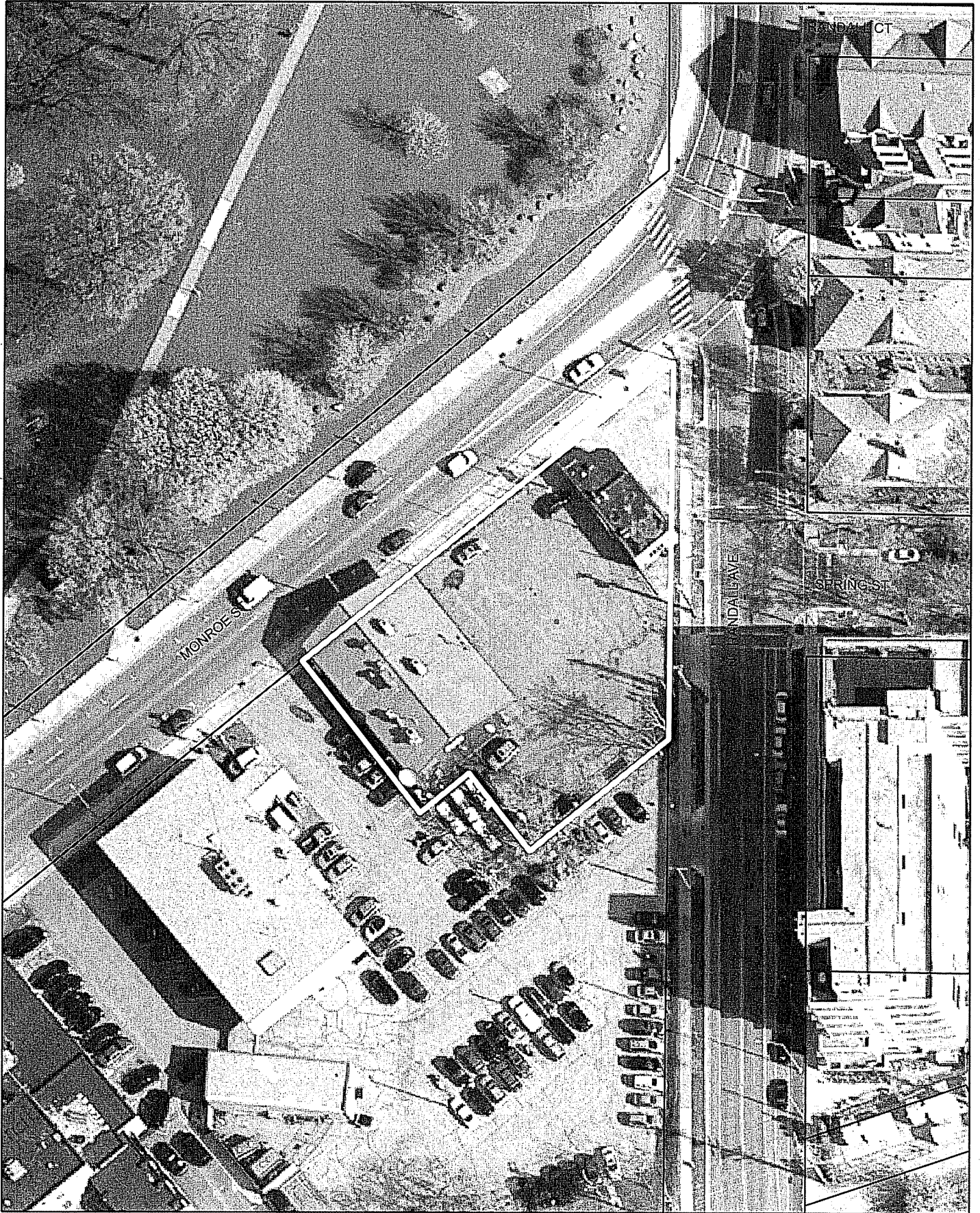
For Questions Contact: Heather Stouder at: 266-5974 or hstouder@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 22 March 2013

5-6





LAND USE APPLICATION Madison Plan Commission

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

- 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.
- A separate Urban Design Commission application is no longer required for projects requiring both Urban Design Commission and Plan Commission approvals.
- This form may also be completed online at <http://www.cityofmadison.com/developmentcenter/landdevelopment>
- All Land Use Applications should be filed with the Zoning Administrator at the above address.

FOR OFFICE USE ONLY:	
Amt. Paid	\$1000- Receipt No. 139877
Date Received	2-6-13
Received By	ESK
Parcel No.	0709-221-1204-3
Aldermanic District	5
GQ	Existing CUA, wellhead protection
Zoning District	CC-T
<i>For Complete Submittal</i>	
Application	Letter of Intent
Photos	Legal Descript. on CD & survey
Plan Sets 20 11x17 full size	Zoning Text N/A
Alder Notification	Waiver
Nbrhd. Assn Not.	Waiver
Date Sign Issued	2/6/13

1. Project Address: 1419 Monroe Street Project Area in Acres: .49

Project Title (if any): _____

2. This is an application for (Check all that apply to your Land Use Application):

- Zoning Map Amendment from CCT to TSS
- Major Amendment to Approved PD-GDP Zoning Major Amendment to Approved PD-SIP Zoning
- Conditional Use, or Major Alteration to an Approved Conditional Use
- Demolition Permit
- Review of Minor Alteration to Planned Development by the Plan Commission Only

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Jerad Protaskey Company: Opus Development Company, L.L.C.
Street Address: 330 E Kilbourn Ave., Suite 222 City/State: Milwaukee, WI Zip: 53202
Telephone: (414) 266-9393 Fax: (414) 266-9395 Email: jerad.protaskey@opus-group.com

Project Contact Person: Jerad Protaskey Company: Opus Development Company, L.L.C.
Street Address: 330 E Kilbourn Ave., Suite 222 City/State: Milwaukee, WI Zip: 53202
Telephone: (414) 266-9393 Fax: (414) 266-9395 Email: 53202

Property Owner (if not applicant): McJingles, L.L.C.
Street Address: 1419 Monroe Street City/State: Madison, WI Zip: 53711

4. Project Information:

Provide a brief description of the project and all proposed uses of the site: Mixed Use-Student Housing Development with ground floor retail and parking and 5 stories of apartments

Development Schedule: Commencement May 2013 Completion August 2014

5. Required Submittals:

- Site Plans**, fully dimensioned and describing pertinent project details, submitted as follows below and depicting all lot lines; existing, altered, demolished and/or proposed buildings; parking areas and driveways; sidewalks; the location of any new signs; existing and proposed utility locations; building elevations, materials and floorplans, and; landscaping:
 - **Seven (7) copies** of a full-sized plan set drawn to a scale of 1 inch = 20 feet (collated, stapled and folded)
 - **Twenty (20) copies** of the plan set reduced to fit onto 11 X 17-inch paper (collated, stapled and folded)
 - For projects also being reviewed by the **Urban Design Commission**, **twelve (12) additional** 11 X 17-inch copies.
 - **One (1) copy** of the plan set reduced to fit onto 8 ½ X 11-inch paper
- REVISED! – Letter of Intent: Twelve (12) copies** describing this application in detail including, but not limited to: existing conditions; the project schedule; names of persons involved (contractor, architect, civil engineer, etc.); details of the project, including proposed uses, building square footage, number of dwelling units, auto and bike parking stalls, etc.; hours of operation; value of land; project cost; any public subsidy requested, and; number of construction and full-time equivalent jobs created. **For projects also being reviewed by the Urban Design Commission, provide twelve (12) additional copies** of the letter.
- Filing Fee:** Refer to the Land Use Application Information & 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 (including this application form, the letter of intent, complete plan sets, etc.) 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.

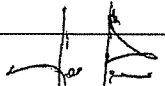
In Addition, The Following Items May Also Be Required With Your Application:

- Legal Description of Property:** For any application for rezoning, the description must be submitted as an electronic word document via CD or e-mail. For applications requesting rezoning to more than one district, a separate description of each district shall be submitted.
- For any applications proposing **Demolition or Removal** of existing buildings, the following items are required:
 - Prior to the filing of an application, the applicant or his/her agent is required to notify a list of interested persons registered with the City **30 or 60 days prior to filing** their application using the online notification tool found at: <https://www.cityofmadison.com/developmentCenter/demolitionNotification/>
 - A photo array (6-12 photos) of the **interior and exterior** of the building(s) to be demolished or removed. A written assessment of the condition of the building(s) to be demolished or removed is highly recommended.
 - Approval of a **Reuse & Recycling Plan** by the City's Recycling Coordinator is required prior to issuance of permits.
- A **Zoning Text** shall accompany all Planned Development District (PD/PCD/PUD) applications.

6. Applicant Declarations:

- Conformance with adopted City plans:** The site is located within the limits of the Regent Street - South Campus Neighborhood Plan _____ Plan, which recommends Community Mixed Use _____ for this property.
- Pre-application Notification:** Section 28.12 of 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:
11/8/2012
- 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: Heather Stouder et al Date: 1/16/13 Zoning Staff: Heather Stouder et al Date: 1/24/13

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

Name of Applicant Jerad Protaskey _____ Relation to Property Owner Buyer _____
Authorizing Signature of Property Owner  _____ Date 2/5/13 _____

5-6

Owner's Statement of Intent

The Opus Group has a long history with university housing, and has been particularly active in the student apartment market in recent years. The expectations of university students and their parents have evolved dramatically since the days of barrack-style dorms and ultra-cheap private housing. Institutions (and the cities in which they reside) are now being evaluated on a much more broad set of criteria, of which one of the most significant is the quality and proximity of student housing options.

This evolution has created both challenges and opportunities. To help meet them, the proposed development will provide 72 new high end apartment units and quality retail options directly across the street from Camp Randall Stadium, and within close proximity to campus.

The proposed development complies with the Regent Street- South Campus Neighborhood Plan, adopted on July 1, 2008. The proposed plan meets the expectations of the Plan in the following ways:

- The maximum building height, as described in Map 4.4 is 10 Stories/144 Feet. Our proposed building is 6 stories/ 75 Feet, both well under the maximum allowable, per the feedback of the neighborhood and the local Alder.
- The Plan clearly defines Building Character. Our proposed building adheres to the guidelines suggested in the Building Composition, Building Articulation, Scale, Windows, Materials, Color, Architectural Detailing, and Green Design sections of the Plan.
- Our proposed building meets the Special Design Guideline Districts for Monroe and Randall Streets. We fully comply with building setback guidelines, and maximum and minimum height guidelines.

When completed, this development will serve as an amenity that will significantly benefit both the University and the City for years to come.

1. Project Name:

1419 Monroe Street (Official Name to be Determined)

2. Construction Schedule

Begin 6/2013

Complete 8/2014

3. Description of Existing Conditions

Site is currently occupied by a 4,212 square foot bar and restaurant. The remaining square footage is an asphalt parking lot which serves as an outdoor beer garden for football Saturday's and a sand volleyball court in the summer. Current structure and parking lot will be demolished.

4. Names of People Involved:

Developer- Opus Development Company, LLC

Architect- Eppstein Uhen Architects

Contractor- Opus Design Build, LLC

Civil Engineer- R.A. Smith National

5. Uses of all areas of building

TABLE A – Uses of All Areas of Building

Name	Level	Area (SF)
Parking	1 st Floor	8,591.90
Parking	Parking Mezzanine	7,829.23
Residential Lobby	1 st Floor	1,311.90
Residential Lobby	Parking Mezzanine	257.97
Residential	2 nd Floor	15,944.84
Residential	3 rd Floor	15,944.84
Residential	4 th Floor	15,944.84
Residential	5 th Floor	15,944.84
Residential	6 th Floor	15,944.84
Retail	1 st Floor	1,555.54
Retail	1 st Floor	6,279.15
Vertical Circulation	1 st Floor	538.25
Vertical Circulation	2 nd Floor	540.4
Vertical Circulation	3 rd Floor	540.4
Vertical Circulation	4 th Floor	540.4
Vertical Circulation	5 th Floor	540.4
Vertical Circulation	6 th Floor	540.4
Total Gross Square Footage		108,795.15

6. Gross Square Footage of Each Devoted Use

TABLE B – Gross Square Footage by Use

Name	Total Gross Area (SF)
Parking	16,421.13
Residential	81,2943.09
Retail	7,834.69
Vertical Circulation	3,245.24
Total Gross Square Footage	108,795.15

7. Number of Employees for warehousing, production, processing, contractor shops, nursery, bakery, motor vehicle repair

NA

8. Capacity

Retailers have yet to be determined, so capacity is based on highest possible use. The maximum capacity if both retail spaces were a tavern type occupancy is 104 occupants in the 1,556 SF space and 419 occupants in the 6,280 SF space.

9. Hours of Operation

Residential- NA

Retail- 24 hours (uses could vary from a coffee shop to a restaurant or bar or eatery)

10. Square Footage of Site

21,435 Sq Feet (.492 Acres)

11. Number of Dwelling Units

TABLE C – Proposed residential unit mix

Unit Type	Qty - Units	Qty – Bedrooms*
Studio	7	7
1BR / 1BA	5	5
2BR / 2BA	45	90
4BR / 2BA	15	60
Total	72 units (15 units/floor)	162 bedrooms (2.25 beds/unit)

* Note: All one bedroom and two bedroom units have the potential for bunked beds.

12. Bedrooms per unit:

162 total bedrooms, 2.25 bedrooms per unit (see Table A)

13. Description of trash removal and storage, snow removal and maintenance equipment:

A central trash room will be accessible through the garage entrance off of Randall Street. Retail deliveries will occur through the retail service space, accessible through the garage off of Randall Street as well. Both trash removal and retail deliveries will occur during non-peak traffic hours.

Residential deliveries will be handled through residential lobby access via the parking garage off of Randall Street. All units are fully furnished, reducing traffic on student move in day.

14. Public Subsidy Request

We are not requesting any public subsidy money for this project

15. Job Creation

We estimate that the project will see roughly 100 tradespeople during the duration of construction earning anywhere from \$40/hr to \$70/hr.

Beyond construction, the building management staff will consist of approximately 3- 5 full time employees earning between \$30,000 and \$60,000 per year.

Additionally, depending on the quantity and type of retailers that fill the ground level space, we anticipate 8-10 full time jobs and 20-30 part time jobs. Wages will vary based on the type of retail.

MEMORANDUM

To: Heather Stouder
Matt Tucker

From: Opus Development Company, L.L.C.

Date: March 27, 2013

Subject: 1419 Monroe Street: Conditional Use Request -- Parking Reduction

This memorandum contains information from Opus Development Company, L.L.C. ("Applicant") in support of Applicant's request for a conditional use permit allowing a reduction in the minimum number of parking spaces required for Applicant's proposed construction of a 72-unit six story multi-family project with approximately 7,592 square feet of commercial space on the ground floor and located at 1419 Monroe Street (the "Project"). The Applicant believes the Project easily meets the criteria for the requested reduction.

Request. The Applicant requests conditional use approval of a parking reduction for residential and commercial purposes at the Project in accordance with Section 28.141 of the Madison Zoning Code Ordinance. The Project, as proposed, will contain 35 parking spaces located on the ground and Mezzanine Level. The Applicant proposes to use the 18 parking spaces on the Mezzanine Level exclusively for residential parking and allocate the 17 parking spaces on the ground floor between residential and commercial purposes, in Applicant's discretion, based on market factors and the future needs of the Project's tenants.

Minimum Parking Required. Pursuant to the Zoning Code, the current minimum parking requirements for the Project under the TSS district are:

- **Residential:** 72 spaces (if evaluated as "Multi-family") and 16.2 spaces (if evaluated as "Dormitory").
- **Retail:** 76 spaces (if ground floor is "Restaurant/Bar") or 19 spaces (if ground floor is "General Retail").

Allowable Reduction Factors. Pursuant to Table 28I-4 of the Zoning Code, a reduction in the minimum number of parking spaces of more than 20 spaces requires conditional use approval. Allowable factors to be considered include, but are not limited to:

➤ **Availability and Accessibility of Alternate Parking:**

- The Project is within 1,320 feet of two public parking structures: The Engineering Drive Ramp (1,250 feet) and the Union South Ramp (730 feet). In addition, the Project is immediately adjacent to a third lot, UW parking Lot #16, that is currently free for public parking from 4:30 pm to 7:00 am and all day Saturday and Sunday. Applicant notes that Lot #16 (as well as

UW Lot #54 which is also within 700 feet of the Project), while presently available, could become unavailable in the future.

- Impacts on adjacent residential neighborhoods:
 - There are no immediately adjacent residential neighborhoods to the Project. The nearest residential neighborhood intersection (Randall and Milton) is 1,300 feet from the Project and across Regent Street. It is the opinion of Applicant that parking impacts on surrounding residential neighborhoods would be very minimal, if any, as parking in these areas is less convenient than other available parking options.

- Proximity to transit routes and/or bicycle paths and provision of bicycle parking:
 - The Project is located at a multi-modal intersection. It is within 100 feet of the Southwest Community Bike Path and either on (#7 bus line weeknights/weekends) or within close proximity to multiple bus lines. In addition, the Project is adjacent to multiple heavily-trafficked pedestrian paths and sidewalks.
 - The Project contains 93 bicycle spaces on the ground floor and 115 overall.

- The characteristics of use, including hours of operation and peak parking demand times:
 - Commercial tenants and their future uses are undetermined. Assuming the most intensive use of a restaurant/bar, the peak parking demand times are anticipated to be in the evenings and on weekends. According to the UW Transportation Services website, the peak times for the alternate parking options identified above are Monday thru Friday between the hours of 7:00 am and 4:30 pm. These peak times appear to be complimentary.
 - Applicant also anticipates much of the staff and patrons of any commercial business will consist of current students or recent graduates likely to walk, bike or take City buses.

- Design and maintenance of off-street parking that will be provided:
 - The Project, as proposed, will contain 35 aggregate parking spaces located on the ground and Mezzanine Level.

Additional Allowable Justifications for the Requested Parking Reduction

In addition to the factors identified above, the Madison Zoning Code provides additional criteria that can be used to justify reductions in minimum parking requirements. These additional criteria include:

Transit Corridor Proximity. Pursuant to Table 28I-4 of the Zoning Code, if a project is within 600 feet of a high-frequency transit corridor, a reduction in minimum parking

requirements up to 50% may be approved as a conditional use, with due consideration of the frequency of transit service and adequacy of pedestrian and bicycle linkages to transit stops or stations.

- Based on the information noted in this memorandum, Applicant believes the Project qualifies for this 50% reduction of minimum parking requirements.

Off-site Parking Availability. Pursuant to Table 28I-4 of the Zoning Code, parking for non-residential uses may be reduced by one space for each space in a public parking structure located within 1,320 feet of the proposed use.

- The Engineering Drive Ramp (1,250 feet) contains 860 stalls and the Union South Ramp (730 feet) contains 168 stall, 35 of which are permanently leased.
- Applicant believes the Project qualifies for a full reduction of any minimum required non-residential spaces.

Bicycle Substitution. Pursuant to Table 28I-4 of the Zoning Code, parking minimums may be reduced for every 4 bicycle parking spaces provided above the minimum required.

- The Project contains 115 bicycle spaces (93 on ground floor). The minimum number of bicycle spaces required is 98.
- Based on the above, the Applicant believes the Project qualifies for a reduction of an additional 4 parking spaces.

Miscellaneous Support

Lastly, Applicant would like to highlight the following:

Metered Parking. There are 37 metered parking spaces within 430 feet of the Project.

Comprehensive Plan. Applicant's request is also generally consistent with the recommendations in the Comprehensive Plan. The Transportation Element of that document includes polices that support using some degree of flexibility in considering surface parking. Specific policies include:

- "Increase flexibility with minimum parking requirements to reflect typical daily demand and allow innovative parking provisions."
- "Promote shared parking agreements for compatible uses (e.g. office parking with high demand during weekdays and entertainment uses with high demand during evenings and weekends) in order to make more efficient use of parking facilities."

* * * * *

Please contact Jerad Protaskey at 414-266-9393, at any time with questions.

April 4, 2013

Gary A Brown, PLA, FASLA
Facilities Planning & Management
University of Wisconsin-Madison
610 Walnut Street, Suite 919
Madison, WI 53726

RE: Response to: 1419 Monroe Street, Opus Development- Comments on Draft Plans

Mr. Brown,

Thank you for your comments, questions and concerns sent via letter on March 28, 2013. After conversations with the City Planning Staff and yourself, we have developed responses to your comments, which we believe address the issues at hand and solve any potential problems.

1. Our proposed project is utilizing a zero lot line setback on the side and rear yards, as allowed by Madison Zoning Code. The university property abutting this lot line is currently used as a parking lot and as a storage area for the University of Wisconsin Police Department. Our construction methods will allow for us to construct the building without the need for a temporary construction easement on University Property.

Based on our preliminary layout for the tower crane swing radius, we would like to request a Temporary Air Rights Easement with the University. While we can arrange for other methods, obtaining the temporary easement would be a great benefit to Opus, and we feel that the impact to the UW Police Department would be un-noticed, as the tower crane, in access of 100' above grade, will swing over a small portion of the parking lot north of the police department building.

Additionally, we believe that it would be in the interest of both parties enter into a Maintenance Easement to allow Opus to maintain the outside face of the building that abuts the property line moving forward.

2. We understand that Monroe Street and Randall Avenue are Emergency Routes for both the University Police and the City. Based on past projects in similar environments and our preliminary construction evaluation for this project, we will be able to build this project without shutting down traffic lanes on Monroe Street or Randall Avenue, as we have required 5' and 10' set backs on both streets. There is potential for Opus to rent the parking lane along Randall Avenue to allow us more space if needed, but this will not shut down any driving lanes or interfere with the entry to the University owned property.
3. We understand that site lines at the intersection of Monroe and Randall are a concern of drivers traveling north on Randall Avenue. Based on the Zoning requirements for a 5' set back on Monroe Street and a 10' setback on Randall Avenue, along with the 1st level footprint not extending to a point like the upper levels, our building will provide better lines of sight than the existing condition as noted in the City Planning Division's Report to the Plan Commission.
4. We have worked with the City Engineering Department and the City Planning Staff to address storm water management issues. As drawn, our site landscaping and green roof provide more pervious surfaces than the current parking lot and building.



5. The UW Police department maintains emergency signal communications to their buildings via Van Hise Hall (1220 Linden Drive) and needs to maintain direct line of sight for communication equipment. As seen in Exhibit A, there is a direct line of sight preserved between the two buildings. We were not provided with a location of communication equipment, so we are unclear if the proposed building impacts this line of sight.
6. Our parking counts for this project do not count on the adjacent University surface parking lots in our parking counts. While these lots are currently available for public parking after 4:30PM, we were advised that these lots may not be available in the future.
7. We are currently providing a minimum amount of parking called out specifically as moped parking on site. While there is no minimum zoning requirement for moped parking, we have been informed of issues at other locations, and are investigating potential locations for moped parking within the building.
8. In response to the comments made by the University Police Department at our neighborhood meeting, there are no balconies, or publically accessible rooftop spaces on this project.
9. The four trees located to the Southeast of the proposed project are rooted on the University's property and overhang ours, and it is very likely that the roots are on our property and will be impacted by the proposed development. We will work with the University to appropriately deal with these trees, and any compensation associated with their removal.
10. We are aware of our neighbor's property that is stored along the property line. We will take care not to damage any property located off of our site, as we would with any neighbor.

Thank you for your comments and concerns, Gary. Hopefully these answers provide sufficient clarification regarding our operations and the proposed project, and we look forward to continuing to work with you, the University of Wisconsin and our neighbors, and The University Police Department, going forward.

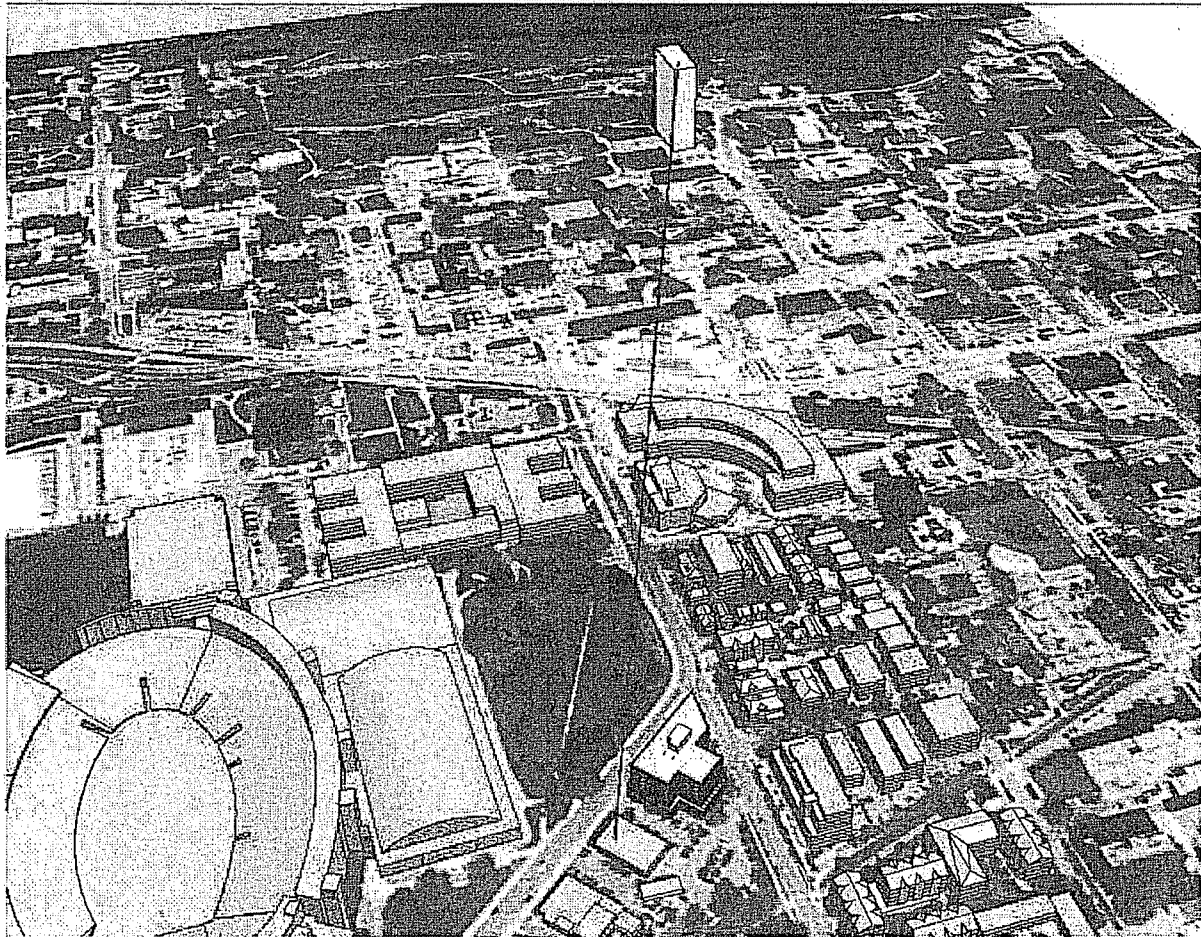
Sincerely,

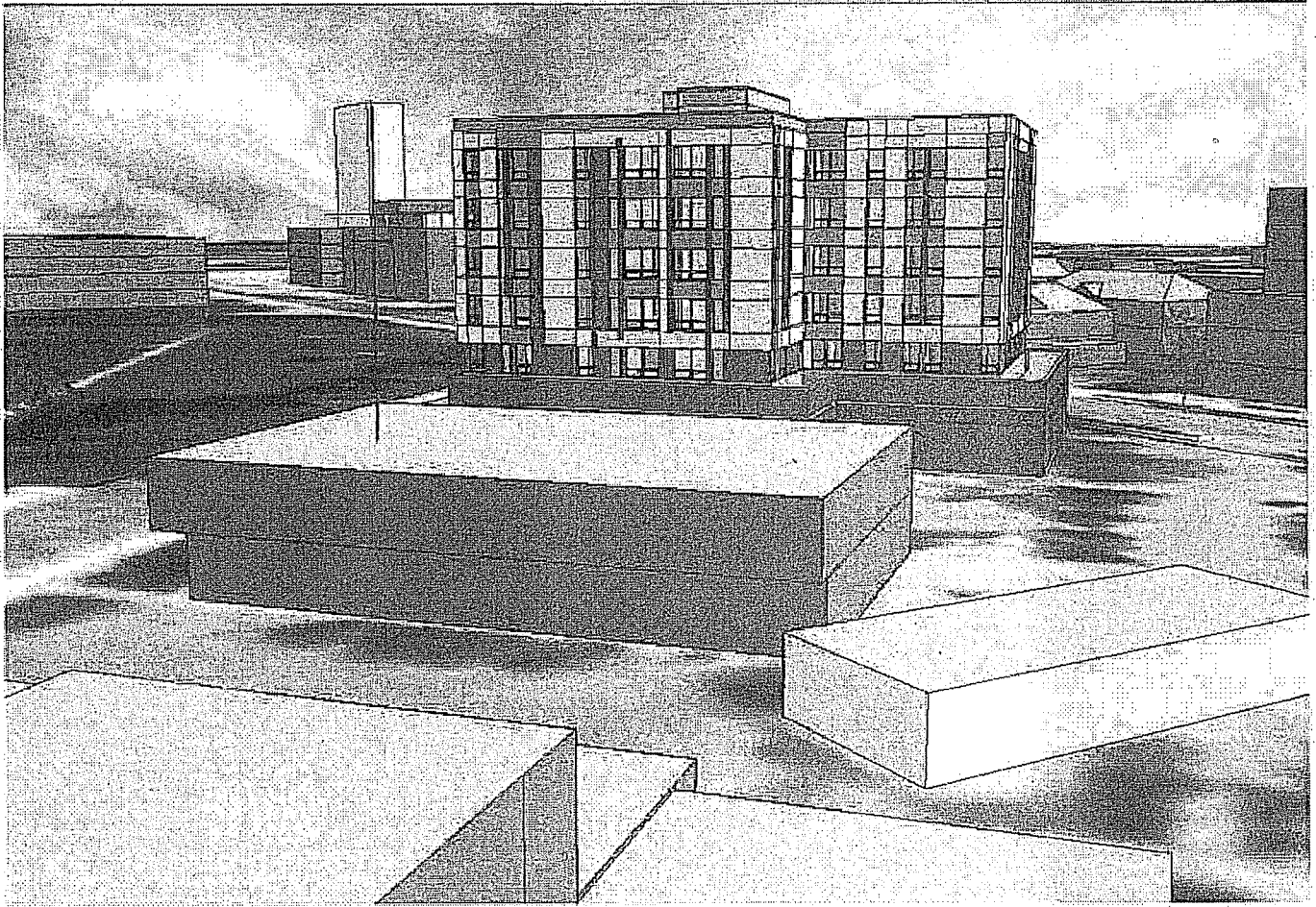
A handwritten signature in black ink, appearing to read "J. Protaskey".

Jerad Protaskey
Real Estate Manger
Opus Development Company, L.L.C.

CC: Alder Shiva Bidar-Sielaff
Heather Stouder, Planning Division
Bill Fruhling, Planning Division

EXHIBIT A





EXISTING CONDITIONS

