

CITY OF MADISON

Proposed Rezoning

Location: 202 North Charter Street

Applicant: Bryce Armstrong - Trio Development/
Michael D Gordon - Potter Lawson Inc

From C1 District(s)

To PUD(GDP-SIP) District(s)

Existing Use: Commercial Building

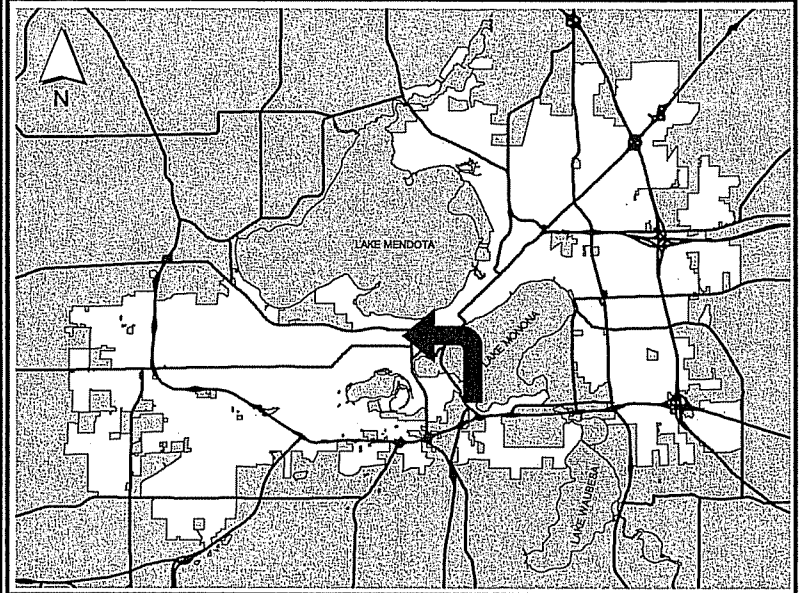
Proposed Use: Demolish Existing Building &
Construct a 6-Story, 25 Unit Apt
Building w/ 3,300 sf of Retail
Space on the First Floor

File No. _____

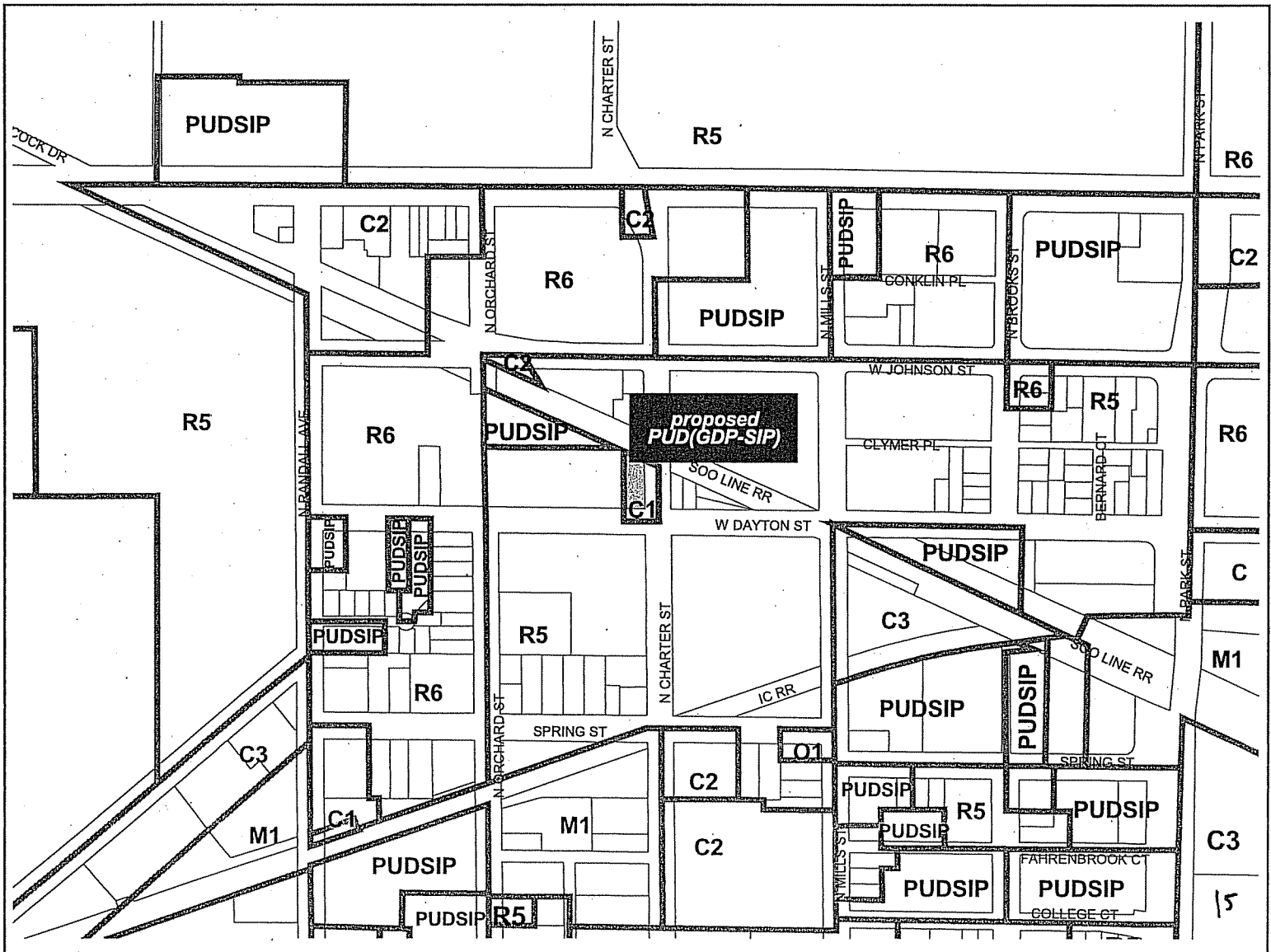
Public Hearing Dates:

Plan Commission 07 November 2005

Common Council 29 November 2005



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

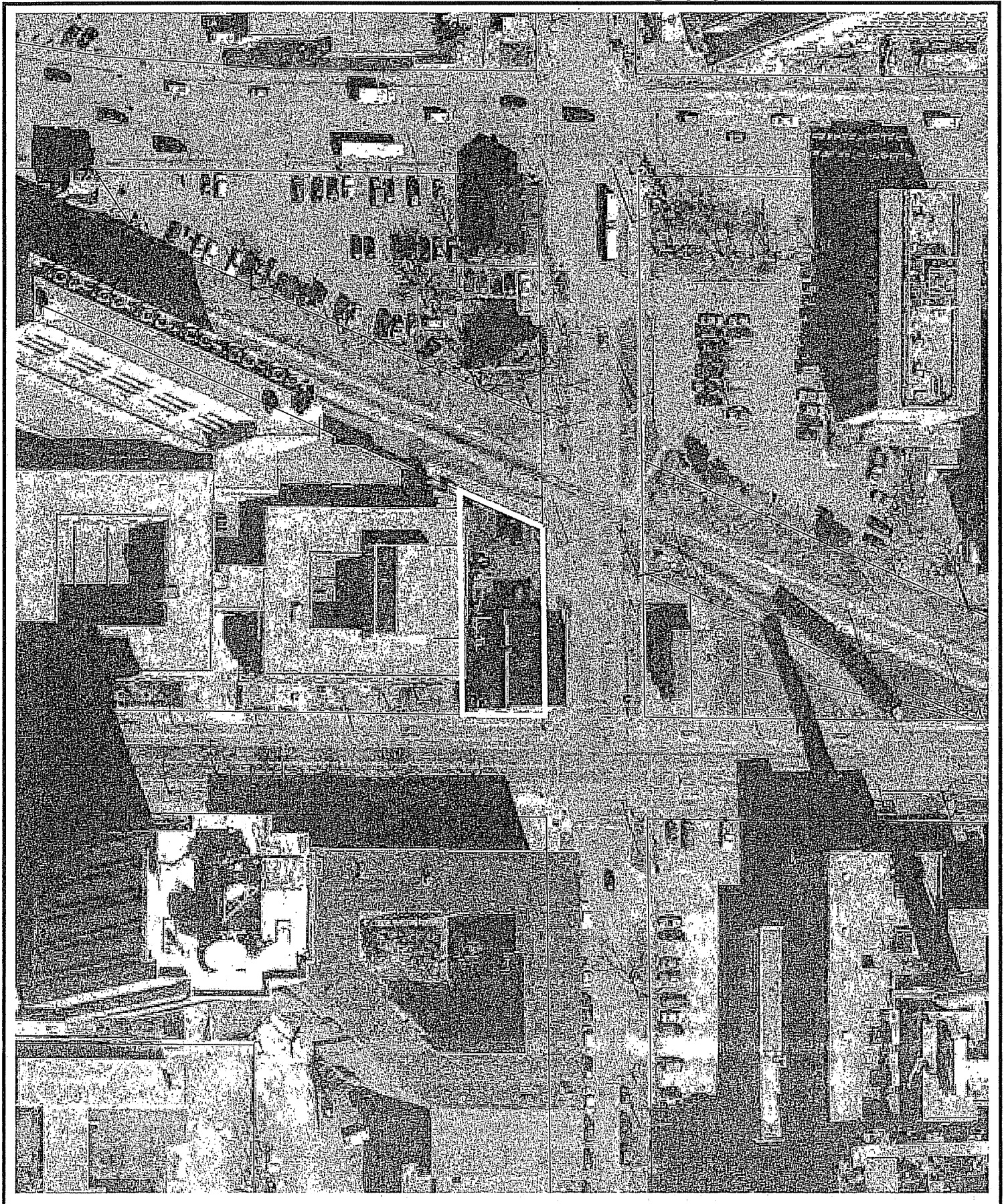


202 North Charter Street

0

100 Feet

Date of Aerial Photography - April 2000



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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.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.

FOR OFFICE USE ONLY:

Amt. Paid \$ 1,700 Receipt No. 64313

Date Received 9-7-05

Received By Kov

Parcel No. 0709-221-0715-1

Aldermanic District 08-Austin King

GQ RR-frontage

Zoning District ~~PUD-GDP~~ C-1

For Complete Submittal

Application Letter of Intent

IDUP Legal Descript.

Plan Sets Zoning Text

Alder Notification Waiver

Ngbrhd. Assn Not. Waiver

mailed applic. Date Sign Issued 9/7/05

2.
2.

1. Project Address: 202 N. Charter Street Project Area in Acres: 0.162

Project Title (if any): Dayton Street Apartments

2. This is an application for: (check at least one)

<input checked="" type="checkbox"/> Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)			
<input type="checkbox"/> Rezoning from <u>C-1</u> to <u>PUD-GDP/SIP</u>	<input type="checkbox"/> Rezoning from _____ to <u>PUD/PCD-SIP</u>		
<input type="checkbox"/> Rezoning from _____ to <u>PUD/PCD-GDP</u>	<input type="checkbox"/> Rezoning from <u>PUD/PCD-GDP</u> to <u>PUD/PCD-SIP</u>		
<input type="checkbox"/> Conditional Use	<input checked="" type="checkbox"/> Demolition Permit	<input type="checkbox"/> Other Requests (Specify): _____	

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Bryce Armstrong Company: Trio Development, LLC

Street Address: 448 W. Washington Ave. City/State: Madison, WI Zip: 53703

Telephone: (608) 255-4676 Fax: (608) 255-7384 Email: trio-bryce@tds.net

Project Contact Person: Michael D. Gordon Company: Potter Lawson, Inc.

Street Address: 15 Ellis Potter Court City/State: Madison, WI Zip: 53711

Telephone: (608) 274-2741 Fax: (608) 274-3674 Email: mikeg@potterlawson.com

Property Owner (if not applicant): _____

Street Address: _____ City/State: _____ Zip: _____

4. Project Information:

Provide a general description of the project and all proposed uses of the site: A mixed-use redevelopment with 3,300 sf of first floor retail and 25 apartments. The apartment unit mix will range from studio to four bedrooms.

Development Schedule: Commencement Dec. 2005 Completion August 2006

CONTINUE →

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5. Required Submittals:

Site Plans submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:

- **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
- **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
- **One (1) copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper

Letter of Intent: Twelve (12) copies describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.

Legal Description of Property: Lot(s) of record or metes and bounds description prepared by a land surveyor.

Filing Fee: \$ 1,700 See the fee schedule on the application cover page. Make checks payable to: *City Treasurer.*

IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:

For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.

A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate **INCLUSIONARY DWELLING UNIT PLAN** application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.

A *Zoning Text* must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

FOR ALL APPLICATIONS: 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 and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

6. Applicant Declarations:

Conformance with adopted City plans: Applications shall be in accordance with all adopted City of Madison plans:
→ *The site is located within the limits of _____ Plan, which recommends: _____ for this property.*

Pre-application Notification: Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:
→ *List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:*

If the alder has granted a waiver to this requirement, please attach any such correspondence 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 Counter and Planning Unit staff; note staff persons and date.

Planner Brad Murphy Date 8/30/05 | Zoning Staff Brad Murphy Date 8/30/05

The signer attests that this form has been completed accurately and all required materials have been submitted:

Printed Name Michael D. Gordon, AIA Date 9/7/05

Signature *Michael D. Gordon* Relation to Property Owner Architectural Consultant

Authorizing Signature of Property Owner *[Signature]* Date 9/7/05

**Zoning Text
Dayton Street Apartments
202 N. Charter St.**

September 7, 2005

Legal Description: The lands subject to this planned unit development shall include those described in the attached survey.

- A. Statement of Purpose:** This zoning district is established to allow for the construction of a Mixed-use development comprising of commercial and residential uses.
- B. Permitted Uses:**
 - 1. Those that are stated as permitted uses in the commercial zoning district.
 - 2. Uses accessory to permitted uses as listed above.
 - 3. Buildings in which there are five (5) or more dwelling units and/or lodging rooms or where dwelling units and/or lodging rooms occupy more than fifty percent (50%) of the total building floor area.
- C. Lot Area:** As stated in survey, attached hereto.
- D. Floor Area Ratio:**
 - 1. Maximum floor area ratio permitted is 6.
 - 2. Maximum building height shall be 6 stories.
- E. Yard Requirements:** Yard areas will be provided as shown on approved plans.
- F. Landscaping:** Site landscaping will be provided as shown on the approved plans.
- G. Accessory Off-Street Parking & Loading:** Accessory off-street parking and loading will be provided as shown on approved plans.
- H. Lighting:** Site lighting will be provided as shown on approved plans.
- I. Signage:** Signage will be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the C2 district.
- J. Family definition:** The number of occupants allowed per unit will be limited by applicable building and life safety codes.
- K. Alterations and Revisions:** No alteration or revision of this planned unit development shall be permitted unless approved by the City Plan Commission, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Development and the alderperson of the district and are compatible with the concept approved by the City Plan Commission.

Legal Description : 202 North Charter Street

Lot 9, Block 8, Brooks' Addition To Madison, City of Madison, Dane County,
Wisconsin, containing 7,167 square feet and 0.16 acres.



September 6, 2005

Mr. Brad Murphy
Director of Planning
Department of Planning and Development
City of Madison
215 Martin Luther King, Jr. Boulevard
Madison, WI 53701-2985

RE: Letter of Intent
202 N. Charter Street
Planned Unit Development
General Development Plan
Specific Implementation Plan

Dear Mr. Murphy:

The following is submitted with the appropriate application, zoning text, and plans for City Staff, Plan Commission, and Common Council consideration for approval of the proposed development at 202 N. Charter Street.

DEVELOPER (OWNER): TRIO Development (Dayton Charter, LLC)
448 W. Washington Avenue, Suite 200
Madison, WI 53703
Contact: Craig D. Hungerford
608-255-4676 x 11
608-255-7384 (fax)
trio-craig@tds.net (email)

Our mission is to create quality developments that accommodate our growing city while maintaining and enhancing the character of our existing neighborhoods. By pursuing infill sites rather than farmland on the periphery, we hope to preserve natural amenities, alleviate demands on our transportation infrastructure, and promote Madison's existing neighborhoods as exciting places to live, work, and recreate.

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ARCHITECT:

Potter Lawson Inc.
15 Ellis Potter Court
Madison, WI 53711
Contact: Michael D. Gordon, AIA
608-274-2741
608-274-3674 (fax)
mikeg@potterlawson.com (email)

BACKGROUND

The site of the proposed development is located at 202-204 N. Charter Street and 1202 W. Dayton Street. Existing improvements include a two story structure comprised of vacant retail space (formerly Milan's Sandwich Shop) and eight vacant boarding rooms above. The structure is in a state of ill-repair and the site underutilized. This proposal calls for demolition of the dilapidated structure, and construction of approximately 3,300 square feet of commercial space with 25 residential apartment units above. Project amenities include public bike parking, resident bike and moped parking, furnished units, balconies, high ceilings, and high-speed internet. The proposed project will provide 4 affordable units (50% & 60% AMI) in compliance with the Inclusionary Zoning Ordinance ranging in size from studios to four bedroom units.

SITE DEVELOPMENT STATISTICS

Site Size:	0.162 Acres
Total Building Gross Square Footage:	34,830 SF
Retail Square Footage:	3,300 SF
Building Height:	65 Feet
Number of Stories	6
Number of Elevators:	1 Elevator
Number of Residential Units:	25 Units
Studio Units:	5
Two Bedroom Units:	5
Three Bedroom Units:	5
Four Bedroom Units:	10
Number of Inclusionary Zoning Units:	4 Units
Percentage of Inclusionary Zoning Units:	16.0%
Number of Bicycle Stalls:	43 Stalls
Number of Moped Stalls:	9 Stalls
Number of Residential Parking Permits:	No Permits
Nearest Bus Stop:	½ Block

SITE AND BUILDING ARCHITECTURE

The overall design of the proposed building has been coordinated with the contextual environment of the University of Wisconsin-Madison Campus and surrounding neighborhood. The proposed building is a modern design employing a variety of materials found in surrounding structures. The six story scale of the proposed development is consistent with other residential projects located between Randall and Park, and Johnson and Dayton Streets. See the attached plans and elevations.

PROJECT SCHEDULE AND MANAGEMENT

Construction is expected to commence in December of 2005, with completion in July of 2006, with residential and commercial occupancy immediately thereafter. See the attached project schedule. The members of the development team and their subcontractors have a strong history in the analysis, construction, and marketing and management of redevelopment properties.

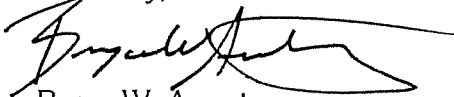
SOCIAL AND ECONOMIC IMPACTS

The proposed project will redevelop an underutilized site and dilapidated structure immediately adjacent to the University of Wisconsin-Madison Campus. This redevelopment would constitute a much needed investment in an underserved segment of campus. This investment will generate additional tax revenue for the City of Madison, and will complement investments like the proposed Institute of Discovery and new WARF Building one-half block north of the site. No financial assistance is being requested of the City.

In addition to the economic benefits of the proposed project, there are social benefits as well. For example, a revitalized retail presence will serve University faculty, staff, and students. A recycling program coordinated with Habitat for Humanity would provide financial assistance to a local philanthropic organization. Improved student housing quality with immediate proximity to campus promotes social interaction and the use of urban friendly means of transportation (walking, biking, and busing). Further, the project provides an affordable housing opportunity for underprivileged University students and employees. Finally, safety is promoted by increasing the number of people and frequency of activity in the area at all hours of the day.

Thank you for your consideration of this proposal. If you have any questions, please do not hesitate to contact us.

Sincerely,



Bryce W. Armstrong
TRIO Development, LLC



TRIO Development, LLC

Managing Members include:

Craig D. Hungerford
Bryce W. Armstrong
Jill C. Buechner



INCLUSIONARY DWELLING UNIT PLAN APPLICATION

Effective February 16, 2004, any new development plan for which a zoning map amendment is required or preliminary plat that proposes **ten (10) or more dwelling units** is required under Section 28.04 (25) of the Zoning Ordinance to provide no less than **15 percent of the units in the project as affordable** as defined in the above mentioned section.

The following application form provides detailed information and checklists regarding the submittals required to accompany your review, and the development approval process. The application materials are to be attached to any ZONING APPLICATION or SUBDIVISION APPLICATION for any project that is required to comply with the City's Inclusionary Zoning Ordinance.

If you have any questions about the *submittal requirements, application form or development approval process, or when you wish to schedule a required pre-application meeting (see below)*, please contact the Planning Unit at (608) 266-4635.

If you have questions about the *Inclusionary Zoning program itself, including questions about project financing, requests for waivers and post-approval compliance with the inclusionary zoning ordinance*, please contact the Community Development Block Grant (CDBG) Office at (608) 267-0740.

For your convenience, this form may be completed online at www.cityofmadison.com.

Prior to Submittal of an Application

The applicant is **required** under the Inclusionary Zoning Program Policy and Protocols to meet twice with City staff prior to submitting an application for a project that includes inclusionary dwelling units. The first meeting is scheduled with staff from the Planning Unit, Zoning Administrator and Community Development Block Grant Office (CDBG) to discuss the proposed development and acquaint the applicant with the Inclusionary Zoning process. The second meeting is a discussion of the proposed project plan and draft Inclusionary Dwelling Unit Plan with the Interdepartmental Review Staff Team. Additional inclusionary zoning information, including a schedule of meeting dates and required meeting materials (if any), is available online at www.cityofmadison.com/cdbg/iz.

Contents of the Inclusionary Dwelling Unit Plan (IDUP)

As part of any application for the approval of an Inclusionary Dwelling Unit Plan, the developer will provide the following materials. This list is intended to describe those components essential to an Inclusionary Dwelling Unit Plan, which would be submitted to accompany the Zoning or Subdivision Application. It should also be noted that depending on the type of development approval being requested, the level of detail for each of the items below might vary. For example, when the application submitted involves a preliminary plat or conventional zoning map amendments, the applicant will likely have insufficient information to fully comply with the submittal requirements related to the location, character and size of the proposed dwelling units at the time the project is granted land use approvals. In these cases, the inclusionary zoning requirements will require compliance by recording deed restrictions against the individual lots created through the subdivision (platting) process. The deed restrictions shall require compliance with the inclusionary zoning ordinance prior to the issuance of building permits. This procedure will be applied to any lot created through the subdivision and zoning process for which detailed building and Inclusionary Dwelling Unit Plans are not yet available.

Information required for a **complete** Inclusionary Dwelling Unit Plan will include the following items:

- **This form completed as it pertains to the developer's project, including:**

1. The total number of inclusionary and market-rate dwelling units that will be constructed; and of that total, the number of rental inclusionary dwelling units and the number of owner-occupied inclusionary dwelling units.
2. The breakdown of unit size by number of bedrooms.
3. The projected sales and rental prices for the inclusionary dwelling units. (Note: the applicant/developer will need to indicate the target AMI level at the time of application in order to seek a range of appropriate incentives, but the specific sale prices won't be determined until the bedroom size is determined).

CONTINUE →

4. The incentives sought from the City for the construction of the inclusionary dwelling units. Additional information regarding the requested incentives may be provided in the written narrative.
- **A project narrative (if not included as part of a Zoning Application) that includes:**
 5. A statement describing the general character of the intended development.
 6. An identification of the current owner, the proposed developer, and any entity that has an option to purchase or contractual interest in the property that is the subject of the application. The application shall include an identification of all individuals and companies and proportionate share of interests in all corporations including, but not limited to, limited liability corporations, limited liability partnerships, etc. in a form acceptable to the Director of the Department of Planning and Development.
 7. A construction schedule indicating the approximate dates when construction of the project and each of its phases can be expected to begin and be completed, and within each phase the schedule for completion of the inclusionary dwelling units.
 - **Plans, drawn to scale that include:**
 8. A plan of the proposed project showing sufficient detail to make possible the evaluation of the approval criteria.
 9. The arrangement of buildings and their architectural character if not provided elsewhere in the submittal.
 10. The location and distribution of the inclusionary dwelling units throughout the development. The Inclusionary Dwelling Unit Plan shall designate the specific lots that are designated as the inclusionary dwelling unit lots. The developer may work with the Community Development Block Grant Office and Planning Unit to locate the inclusionary zoning lots in subsequent phases.
 - **In addition, the submittal shall include:**
 11. A general outline of the intended organizational structure, agreements, bylaws, provisions, deed restrictions or covenants for any proposed property owners', condominium or homeowners association, or any private provision for common services, areas or other facilities, and the continued protection of the development.

Approval and Recording of the Inclusionary Dwelling Unit Plan

Following pre-application meetings and the submittal of a completed application package, the application will be circulated to several City agencies, including staff from the Community Development Block Grant Office, who will review the Inclusionary Dwelling Unit Plan for compliance with the requirements of the Inclusionary Zoning program. Comments and recommendations on the IDUP will be incorporated into a report that discusses the merits of the overall project containing the inclusionary dwelling units. The report will also include any proposed conditions of approval and will be provided to the applicant **one week** prior to the scheduled Plan Commission meeting date.

The Plan Commission will review the Inclusionary Dwelling Unit Plan and other related materials at a duly noticed Plan Commission meeting and make its recommendations to the Common Council for approval by ordinance. The approval by the Plan Commission and Common Council will generally include conditions of approval that must be met prior to the final sign-off by City agencies. The conditions of approval attached to the project by the Plan Commission and Common Council shall be provided to the applicant in writing by the Planning Unit. The applicant is required to comply with the conditions of approval prior to requesting final sign-off on the plans by City agencies. Once the revised plans and all conditions of approval have been met, City agencies will sign off on the plans, after which the City's Zoning Administrator will record the approved IDUP at the Dane County Register of Deeds Office with any required deed restrictions, land use restriction agreements, ground leases, subdivision plats, certified survey maps, Planned Development District documents, or other documents required.

Developer Responsibilities

The applicant has certain responsibilities for implementing the provisions of the inclusionary zoning ordinance, including but not limited to construction and standards for inclusionary dwelling units, notification of availability of units to the City, marketing to target income groups, establishment of price points or rent levels and other changes to the Inclusionary Dwelling Unit Plan. These responsibilities shall be acknowledged and outlined in the Inclusionary Dwelling Unit Plan (IDUP) and Subdivision Improvement Contract that will be executed as part of every development that includes applicable dwelling units.

The City will monitor the construction phases of the overall development, including site visits by staff from the Building Inspection Unit and the Public Works Department to verify progress in accordance with the zoning requirements, the Inclusionary Dwelling Unit Plan, and the Subdivision Improvement Contract, where applicable. Phasing of the IDUP will be enforced through a deed restriction that prohibits transfer of ownership of parcels; the restriction will be released as proof of compliance is provided.

CONTINUE →

PART 1 - DEVELOPMENT INFORMATION:

Project or Plat Dayton Charter Apartments

Project Address: 202 N Charter Street **Project Area (in acres):** .162

Developer: TRIO Development, LLC **Representative:** Bryce Armstrong

Street Address: 448 W Washington Avenue, Suite 200 **City/State:** Madison, WI **Zip:** 53703

Telephone: (608) 255-4676 **Fax:** (608) 255-7384 **Email:** trio-bryce@tds.net

Agent, If Any: _____ **Company:** _____

Street Address: _____ **City/State:** _____ **Zip:** _____

Telephone: () _____ **Fax:** () _____ **Email:** _____

PART 2 - PROJECT CONTENTS:

Complete the following table as it pertains to this project:

Residential Use	MARKET-RATE UNITS		INCLUSIONARY UNITS		Total Units	Acres
	Owner-Occupied Units	Renter-Occupied Units	Owner-Occupied Units	Renter-Occupied Units		
Single-Family						
Duplexes						
Multi-Family		21		4	25	.162
TOTAL						

PART 3 - AFFORDABLE HOUSING DATA:

Number of Inclusionary Dwelling Units Proposed by Area Median Income (AMI) Level and Minimum Sale/Rent Price							
Owner-Occupied Units	30%	40%	50%	60%	70%	80%	Total
Number at Percent of AMI							
Anticipated Sale Price							
Rental Units	30%	40%	50%	60%	70%	80%	Total
Number at Percent of AMI			2	2			
Maximum Monthly Rent Price			3Br \$857	4Br \$936	Studio \$708	4Br \$1,149	

PART 4 - DWELLING UNIT COMPARISON:

*** SEE ADDENDUM FOR ALTERNATIVE UNIT MIX**

Complete the following table as it pertains to this project:

	MARKET-RATE UNITS					INCLUSIONARY UNITS				
	Studio / Effic	1 Bdrm	2 Bdrms	3 Bdrms	4/More Bdrms	Studio / Effic	1 Bdrm	2 Bdrms	3 Bdrms	4/More Bdrms
Owner-Occupied Units with:										
Minimum Floor Area:										
Rental Units With:	4		5	4	8	1			1	2
Minimum Floor Area:	400		650	850	1,090	400			850	1,090

CONTINUE →

PART 5 – INCENTIVES: Section 28.04 (25) of the Zoning Ordinance provides the opportunity for applicants in projects where affordable dwelling units are required or where the developer has agreed to pay money in lieu of inclusionary dwelling units, to receive one or more incentives as compensation for complying with the Inclusionary Zoning requirements. Each of the eleven incentives listed below are affixed a point value. The incentive points available to an applicant is dependent upon the number of affordable dwelling units proposed at the various area median income (AMI) levels. The program rewards projects both for having a higher number of affordable dwelling units provided at lower AMI levels, and for having a higher percentage of affordable dwelling units incorporated into the development. The incentive and the corresponding number of points available are listed below. (MAP=Maximum Available Points) Please mark the box next to the incentives requested.

Incentive	MAP	Incentive	MAP
<input checked="" type="checkbox"/> Density Bonus (varies by project)	3	<input type="checkbox"/> Cash subsidy from Inclusionary Unit Reserve Fund up to \$10,000 per unit for up to 50% of the affordable units provided.	2
<input type="checkbox"/> Parkland Development Fee Reduction	1	<input type="checkbox"/> Cash subsidy from Inclusionary Unit Reserve Fund of \$5000 for up to 50% of on-site afford-able units in projects with 49 or fewer detached units or projects with four or more stories and 75% of parking provided underground.	2
<input type="checkbox"/> Parkland Dedication Reduction	1	<input type="checkbox"/> Neighborhood Plan preparation assistance	1
<input type="checkbox"/> Off-street Parking Reduction up to 25%	1	<input type="checkbox"/> Assistance obtaining housing funding information	1
<input type="checkbox"/> Non-City provision of street tree planting	1		
<input type="checkbox"/> One addl. story in Downtown Design Zones	1		
<input type="checkbox"/> Residential parking permits in a PUD/PCD	1		
<input type="checkbox"/> Incentives Not Assigned a Point Value by Ordinance (Explain): _____			

PART 6 – WAIVER: The Plan Commission may waive the requirement to provide inclusionary dwelling units in the development if the applicant can present clear and convincing financial evidence that providing the required number of inclusionary dwelling units on-site renders providing the required number of inclusionary units financially infeasible. In such a case, a developer may request a waiver to provide the units off-site, assign the obligation to provide the units to another party, or pay cash in lieu of the units, or any combination of the above. If the waiver is granted, the required units may be provided as new construction off-site in another development within **one mile** of the subject development; off-site units shall be provided at least 1.25 times the number of units if provided within the subject development. Off-site units must be constructed within one year of the time that they would have been constructed within the subject development. The applicant may opt to pay money into the Inclusionary Unit Reserve Fund based on contribution rates established in Section 28.04 (25) of the Zoning Ordinance. If provision of the inclusionary dwelling units through the waiver is still financially infeasible, the developer may seek a reduction in the percent of units to the point where the project becomes financially feasible. If such a waiver is requested, a detailed explanation shall be provided in the required project narrative demonstrating the financial infeasibility of complying with the ordinance requirements and the rationale for the alternative proposed.

- If a waiver is requested, please mark this box and include all of the necessary information required by the Zoning Ordinance and IZ Program Policy & Protocols to support your request.

PART 7 – APPLICANT’S DECLARATION:

The signer shall attest that this application has been completed accurately and includes all requests for incentives or waivers; that they have attended both required pre-application staff meetings and given the required notice to the district alderperson and neighborhood association(s) prior to filing this application; and that all required information will be submitted on the corresponding application for zoning and/or subdivision approval by the Plan Commission. The applicant shall begin the declaration by stating below whether or not the project complies with the various requirements of the inclusionary zoning ordinance. Check the applicable box and provide any supporting

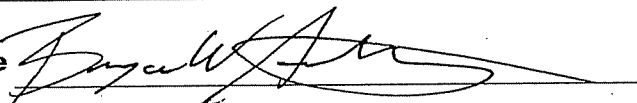
Standards for Inclusionary Dwelling Units (IDUs)	Will Comply	Will not comply	Additional comments
Exterior Appearance of IDUs are similar to Market rate.	X		
Proportion of attached and detached IDU units is similar to Market rate.	X		
Mix of IDUs by bedroom size is similar to market rate.	X		

15

Standards for Inclusionary Dwelling Units (IDUs) [continued]	Will Comply	Will not comply	Additional comments
IDUs are dispersed throughout the project.	X		
IDUs are to be built in phasing similar to market rate.	X		
Pricing fits within Ordinance standards	X		
Developer offers security during construction phase in form of deed restriction.	X		
Developer offers enforcement for for-sale IDUs in form of option to purchase or for rental in form of deed restriction.	X		
Developer describes marketing plan for IDUs.	X		
Developer acknowledges need to inform buyers/renters of IDU status, responsibilities for notification.	X		
Terms of sale or rent.	X		
	Yes	No	Additional comments
Developer has arranged to sell/rent IDUs to non-profit or CDA to meet IDU expectations.		X	
Developer has requested waiver for off-site or cash payment.		X	
Developer has requested waiver for reduction of number of units.		X	
Other:			

- The applicant discussed this development proposal with representatives from the Planning Unit, Zoning Administrator and Community Development Block Grant Office on: → August 30, 2005
- The applicant presented a preliminary development plan for this project to the Interdepartmental Review Staff Team on: → August 25, 2005
- The applicant notified Alderperson Austin King of District 8 of this development proposal in writing on: → August 31, 2005 - waived
- The applicant also notified n/a of the n/a neighborhoods in writing on: → Neighborhood Association does not exist
- The Inclusionary Dwelling Unit Plan Application package contains ALL of the materials required as noted on this form. I, as the undersigned, acknowledge that incomplete or incorrect submittals may cause delays in the review of this project. I am also familiar with the ongoing developer responsibilities summarized on page #2 of this application and outlined in the Inclusionary Zoning Ordinance and Program Policy and Protocols.

Applicant Signature



Date 4/27/05

15

Printed Name Bryce Armstrong

Phone (608) 255-4676 x12

ADDENDUM TO INCLUSIONARY DWELLING UNIT PLAN

Our default Inclusionary Zoning unit mix as proposed in the attached IDUP follows ordinance guidelines for dispersion and unit mix:

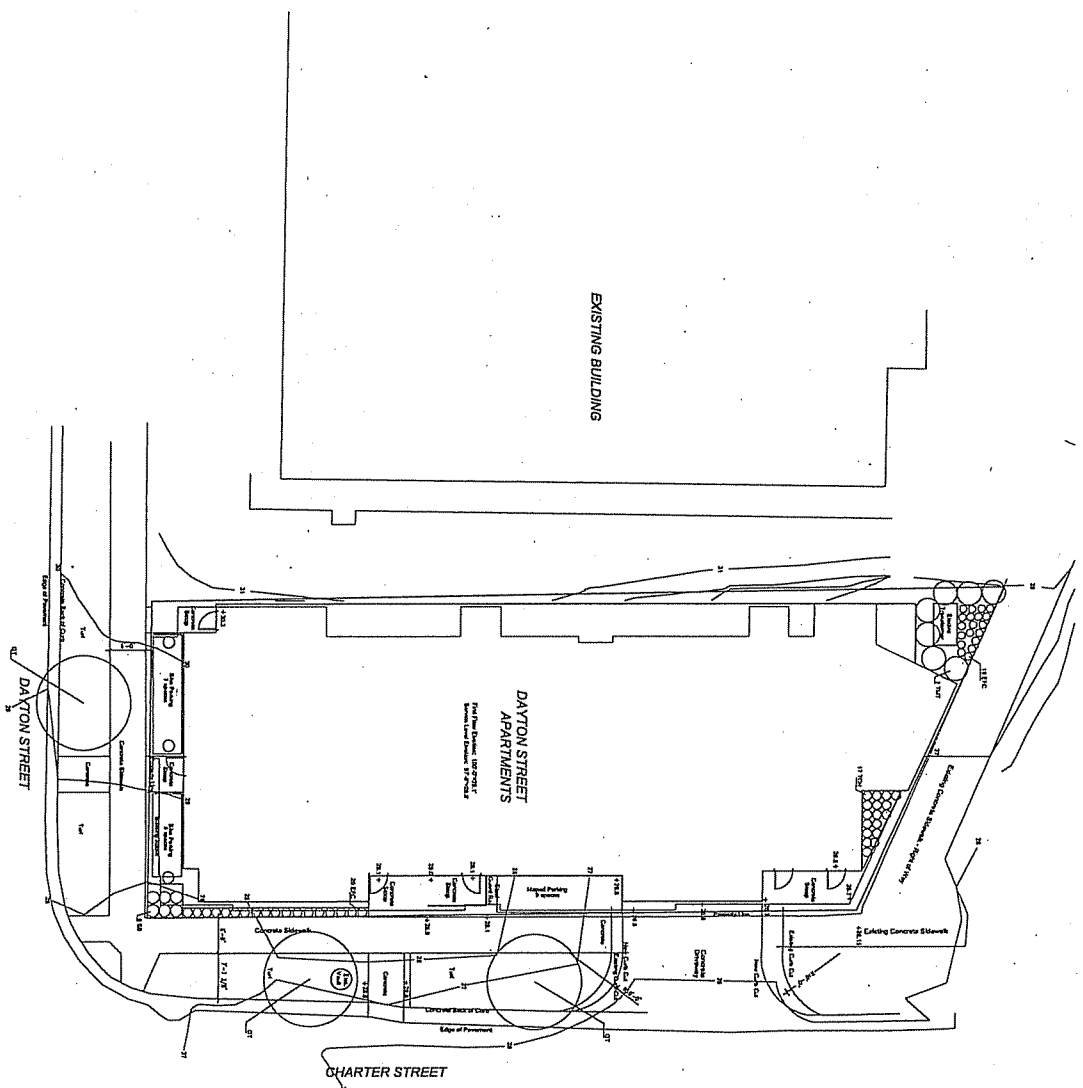
Building Floor	Unit Type	AMI %	Location
1	Retail	n/a	n/a
2	4BR	50%	NE corner
3	4BR	60%	SE corner
4	3BR	50%	SW corner
5	Studio	60%	SW corner
6	n/a	n/a	n/a

However, the ordinance fails to address the nuances of student housing and will likely result in Inclusionary Zoning units marking to market rents. As is often the case with ordinances that mandate behavior that is inconsistent with market behavior, a disconnect between policy and practice exists. The IZ ordinance currently assumes that households, and their respective incomes, are comprised of one family. However, in the student housing market, households are comprised of individuals with drastically varying incomes who choose to live together out of friendship, not because of AMI thresholds. Thus, student households requiring more than one income to qualify under the ordinance income thresholds are highly unlikely to qualify for IZ units. This administrative glitch will create significant vacancy risk for apartment owners, and render well-intended IZ units unused.

As such, we propose an alternative unit mix that follows market behavior. In spite of requiring a higher private affordable housing subsidy, we propose an IZ unit mix of entirely studio units that are certain to rent as affordable units, and minimize administrative efforts and vacancy risk. Accordingly, we propose the following alternative unit mix for the attached IDUP:

Building Floor	Unit Type	AMI %	Location
1	Retail	n/a	n/a
2	Studio	50%	SW corner
3	Studio	50%	SW corner
4	Studio	60%	SW corner
5	Studio	60%	SW corner
6	n/a	n/a	n/a

We recognize that changes to the Inclusionary Zoning Ordinance are underway, but that nothing has been finalized. Our proposal is intended to maximize the number of affordable bedrooms actually used, while creating more reasonable administrative demands. We are willing to work with City Staff to find an acceptable solution.

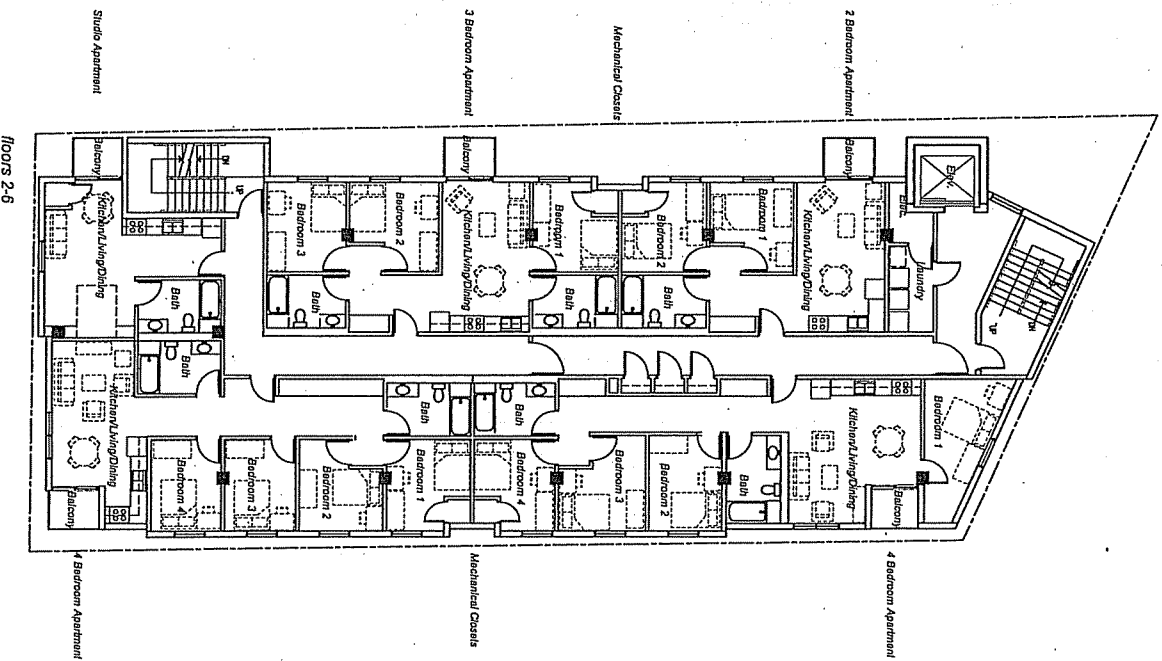
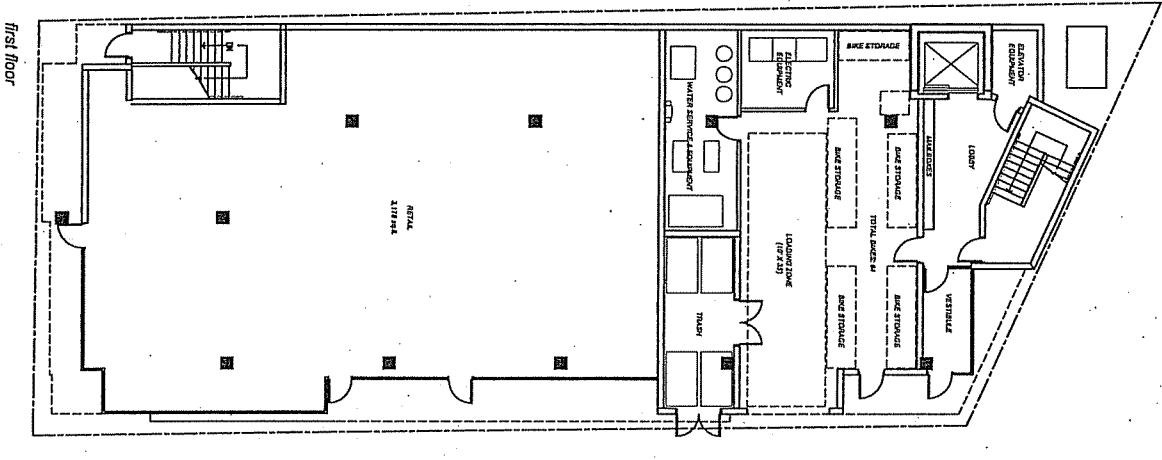


PLANNING SCHEDULE		
REF	DESCRIPTION	SIZE
001	General Building	200,000 sq ft
002	General Building	200,000 sq ft
003	General Building	200,000 sq ft
004	General Building	200,000 sq ft
005	General Building	200,000 sq ft
006	General Building	200,000 sq ft
007	General Building	200,000 sq ft
008	General Building	200,000 sq ft
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042	General Building	200,000 sq ft
043	General Building	200,000 sq ft
044	General Building	200,000 sq ft
045	General Building	200,000 sq ft
046	General Building	200,000 sq ft
047	General Building	200,000 sq ft
048	General Building	200,000 sq ft
049	General Building	200,000 sq ft
050	General Building	200,000 sq ft

GENERAL NOTES
1. Details are not shown and must be shown before work is begun.

SITE PLAN

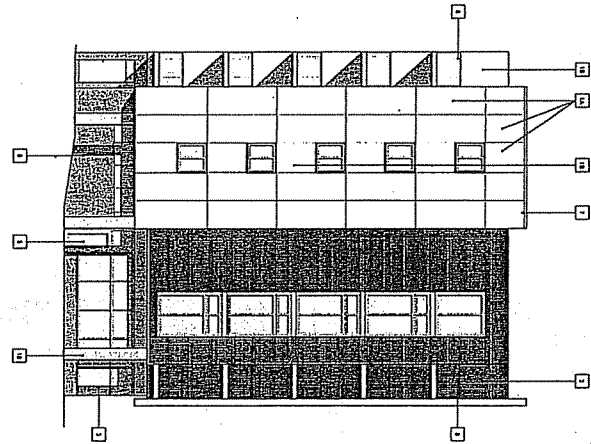




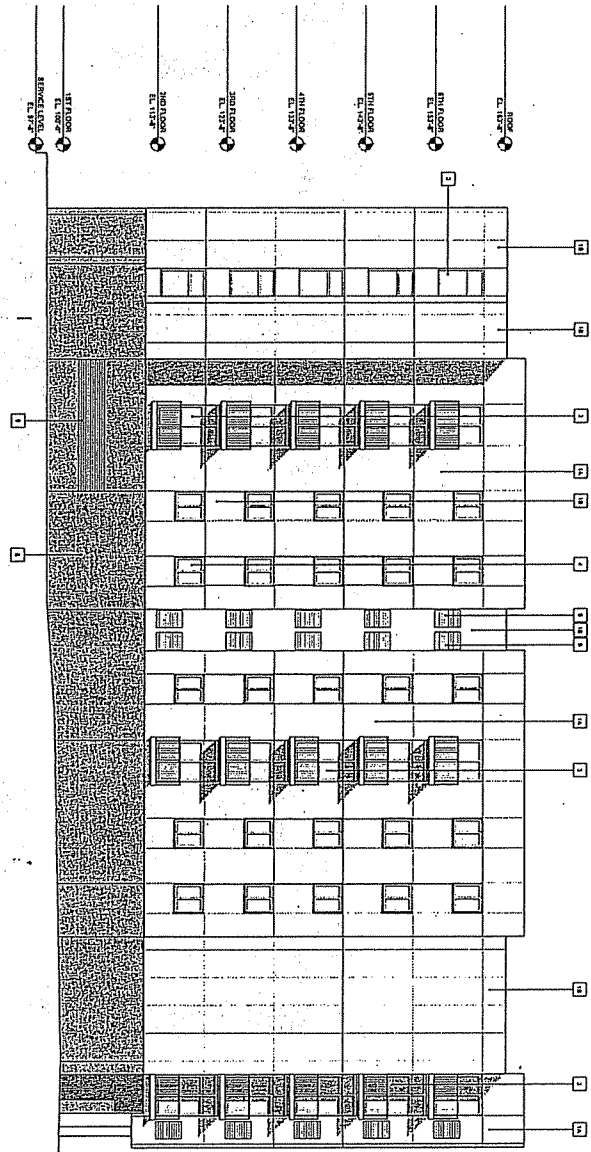
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- KEY NOTES - BUILDING MATERIALS:**
- 1 HARD COAT STUCCO
 - 2 LIGHT RED/ITALIAN LINED COAT STUCCO
 - 3 ALUMINUM METALLIC LINED COAT STUCCO
 - 4 GRANITE/SLATE METAL FINISH (COLOR ON TOP)
 - 5 GRANITE/SLATE METAL FINISH (COLOR ON BOTTOM)
 - 6 GRANITE/SLATE METAL FINISH (COLOR ON SIDES)
 - 7 GRANITE/SLATE METAL FINISH (COLOR ON CORNERS)
 - 8 GRANITE/SLATE METAL FINISH (COLOR ON JOINTS)
 - 9 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES)
 - 10 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS)
 - 11 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS AND DOORS)
 - 12 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF)
 - 13 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES)
 - 14 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES AND TERRACES)
 - 15 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES, TERRACES AND PORCHES)
 - 16 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES, TERRACES AND PORCHES EXCEPT STAIRS)
 - 17 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES, TERRACES AND PORCHES EXCEPT STAIRS AND ELEVATORS)
 - 18 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES, TERRACES AND PORCHES EXCEPT STAIRS, ELEVATORS AND MECHANICAL ROOMS)
 - 19 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES, TERRACES AND PORCHES EXCEPT STAIRS, ELEVATORS AND MECHANICAL ROOMS EXCEPT ROOFTOP)
 - 20 GRANITE/SLATE METAL FINISH (COLOR ON ALL SURFACES EXCEPT WINDOWS, DOORS AND ROOF EXCEPT BALCONIES, TERRACES AND PORCHES EXCEPT STAIRS, ELEVATORS AND MECHANICAL ROOMS EXCEPT ROOFTOP AND MECHANICAL ROOMS)

South



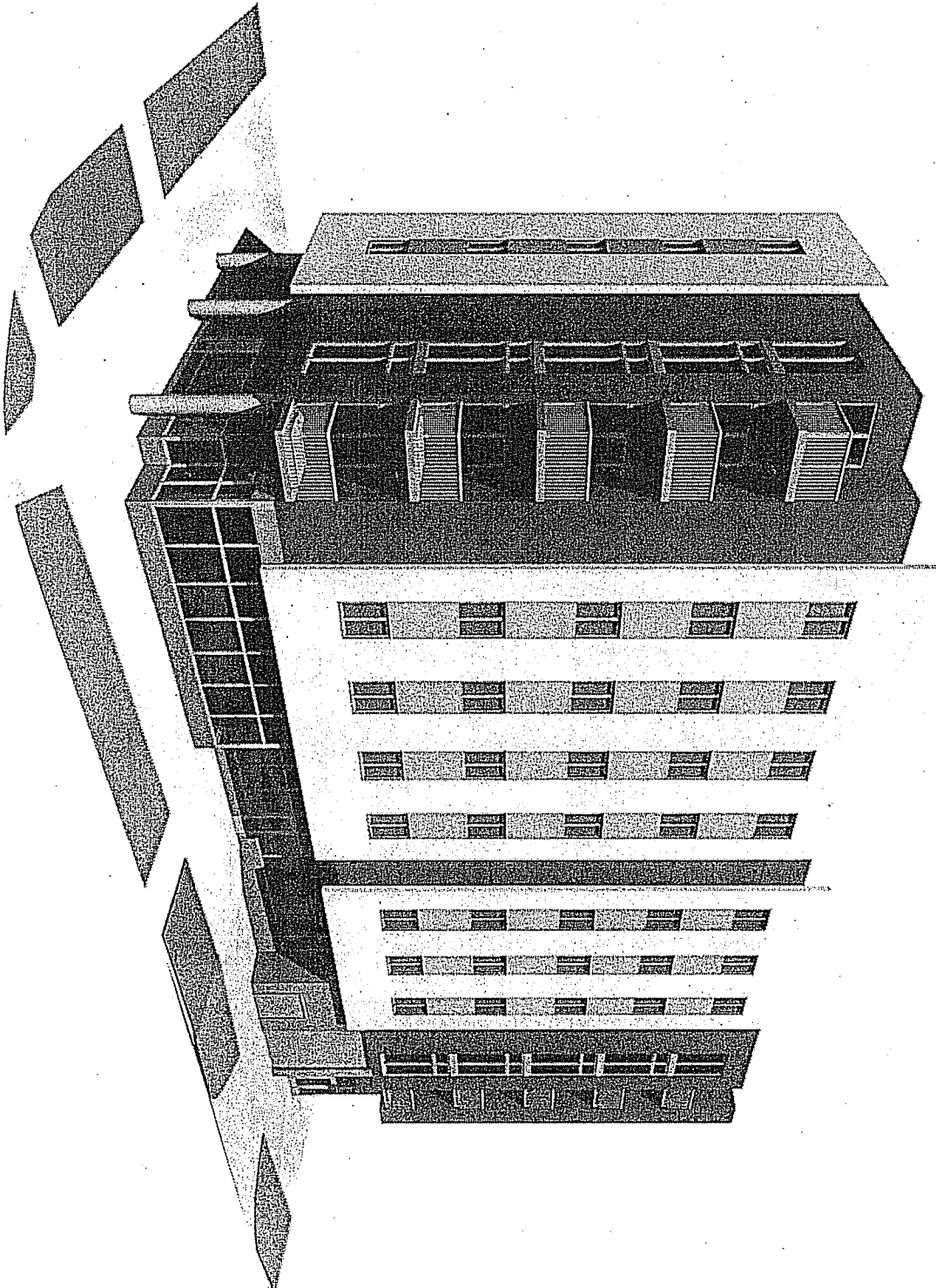
West



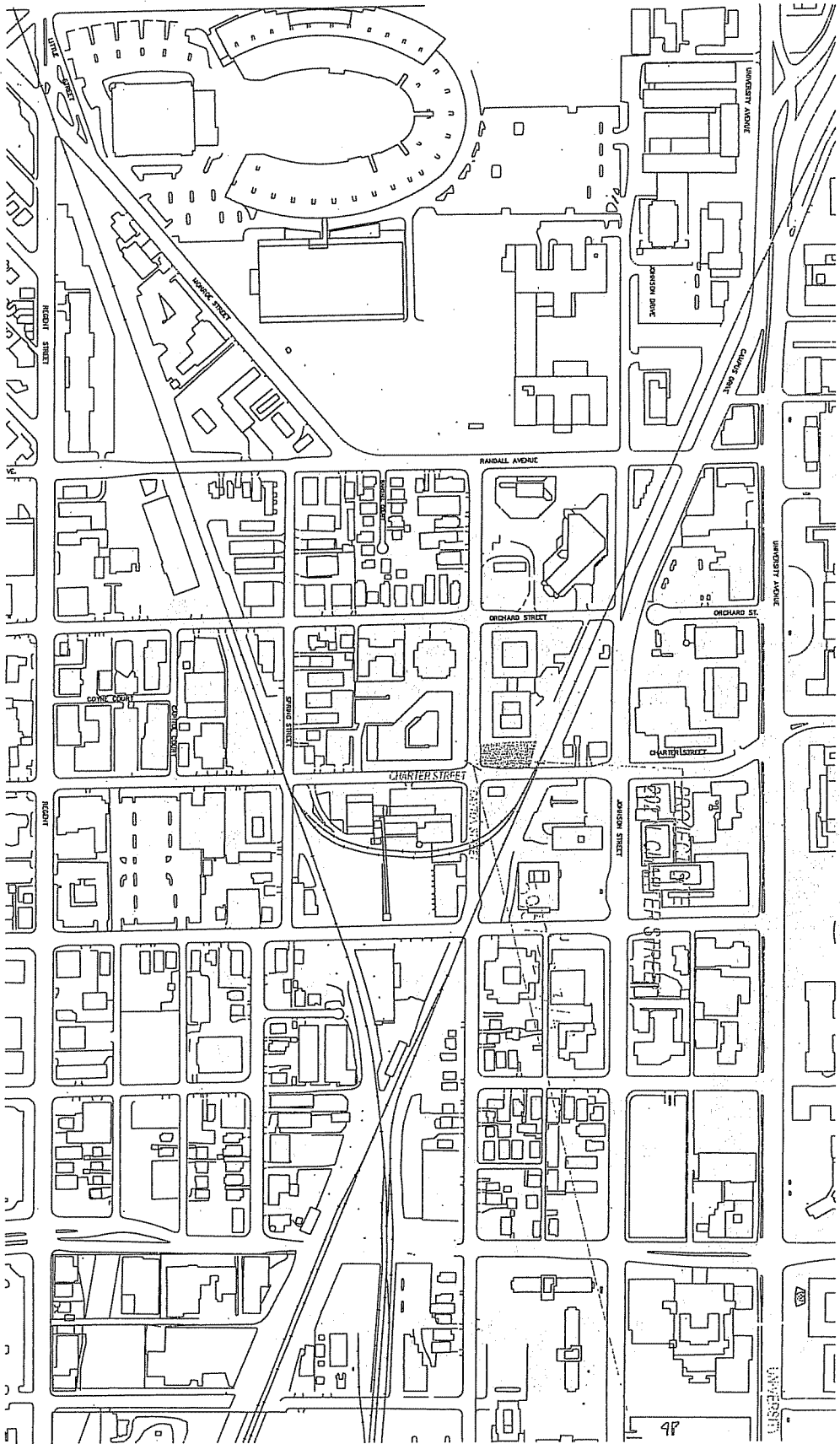
ELEVATIONS



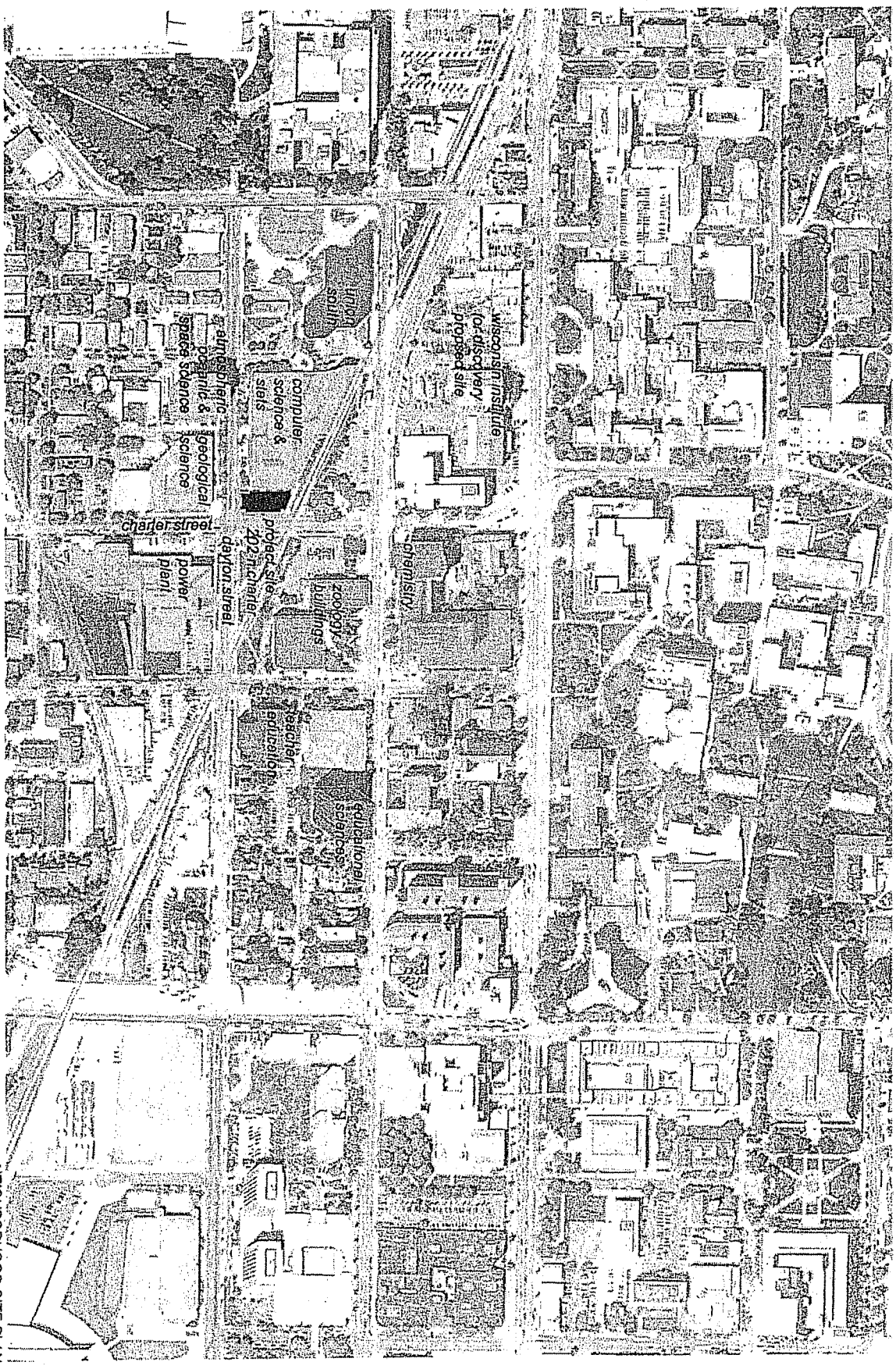
51



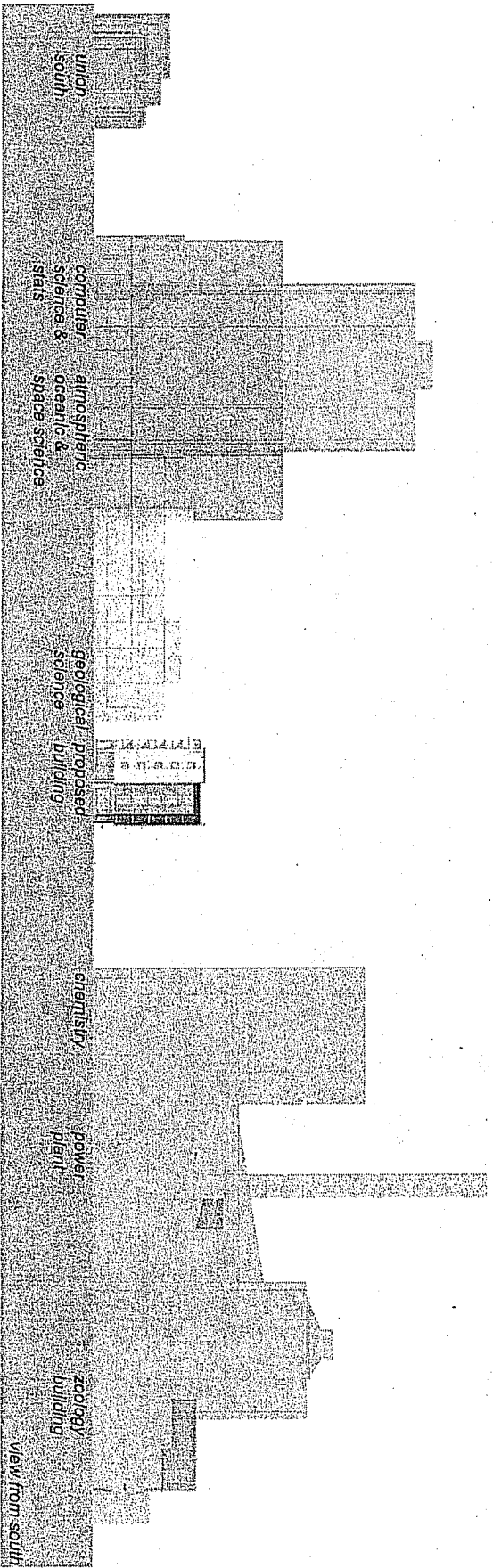
DAYTON STREET APARTMENTS
TRIO DEVELOPMENT, LLC.



POTTER LAWSON INC.
LMA101



NEIGHBORHOOD SITE PLAN



union south

computer science & stats

atmospheric oceanic & space science

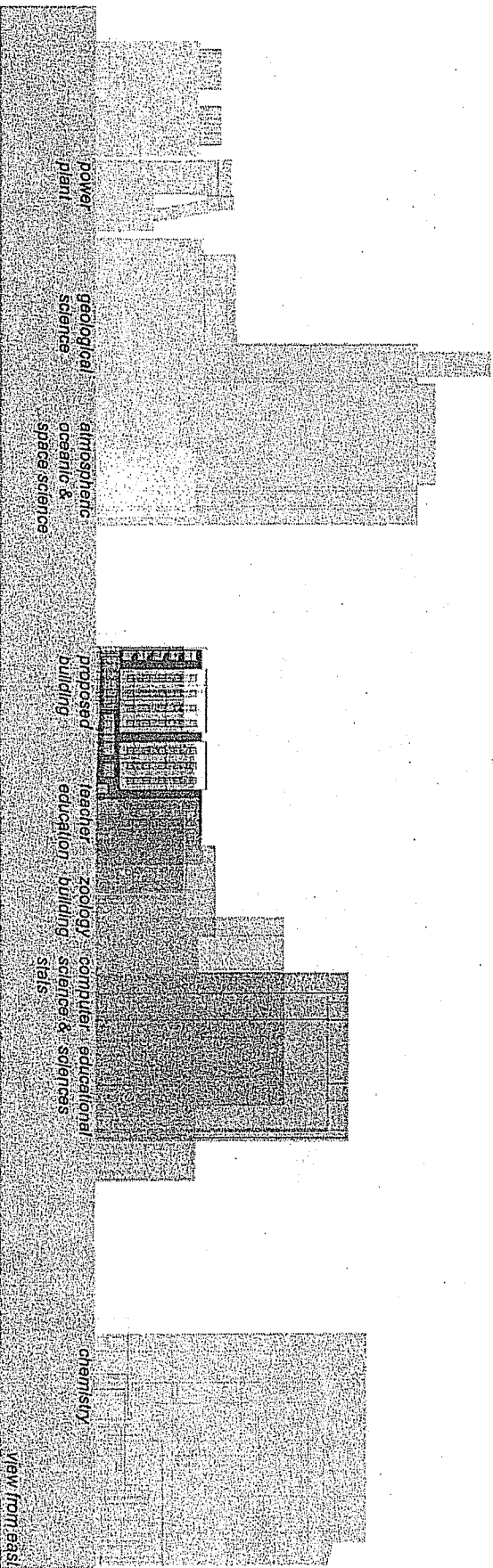
geological science
proposed building

chemistry

power plant

zoology building

VIEW FROM SOUTH



power plant

geological science

atmospheric oceanic & space science

proposed building

teacher education building

zoology building

computer science & statistics
educational sciences

chemistry

VIEW FROM EAST

CITY OF MADISON GDP-SIP SUBMITTAL – 7 September 2005

DAYTON STREET APARTMENTS
TRIO DEVELOPMENT, LLC

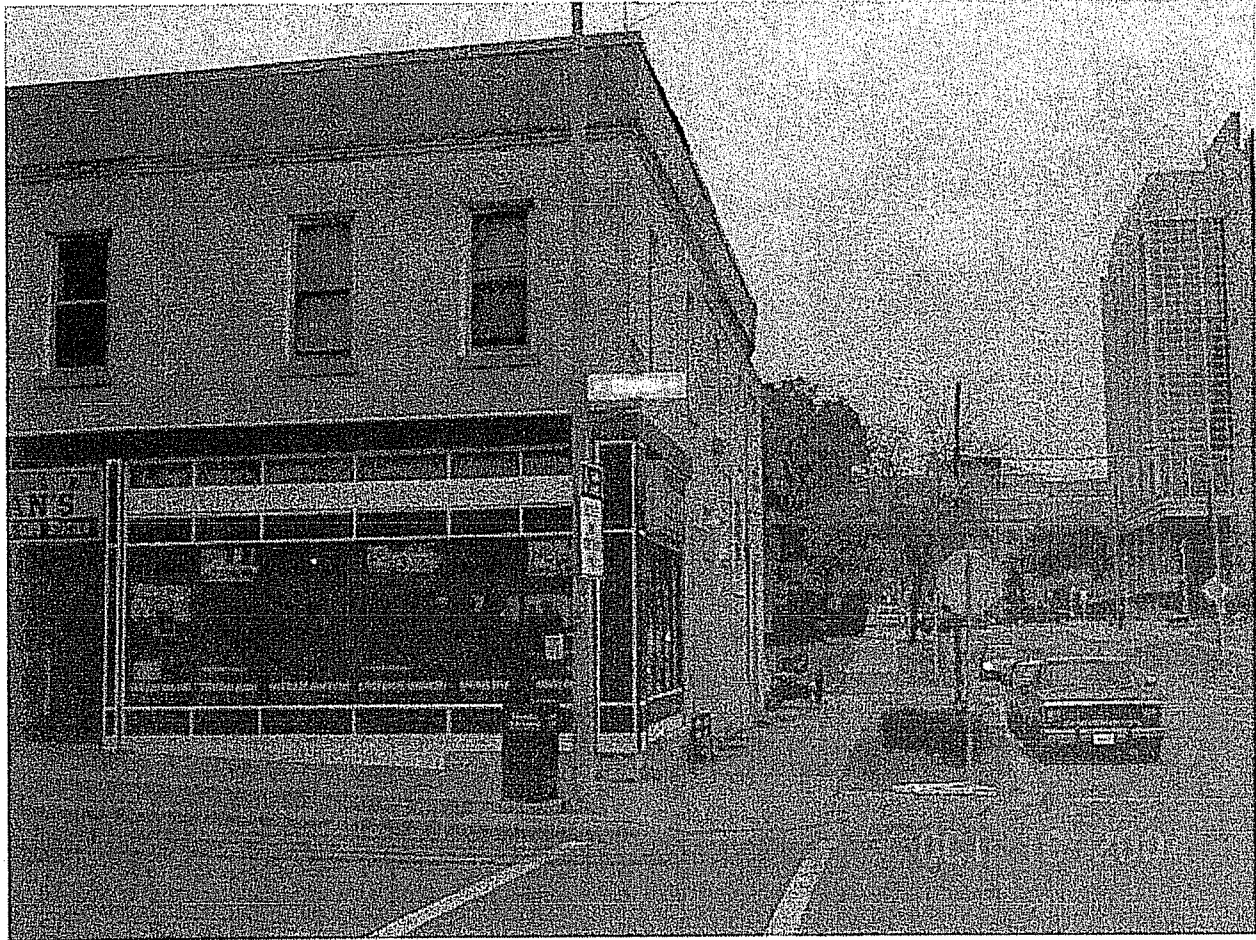
STRUCTURE TO BE DEMOLISHED AT 1202 DAYTON STREET



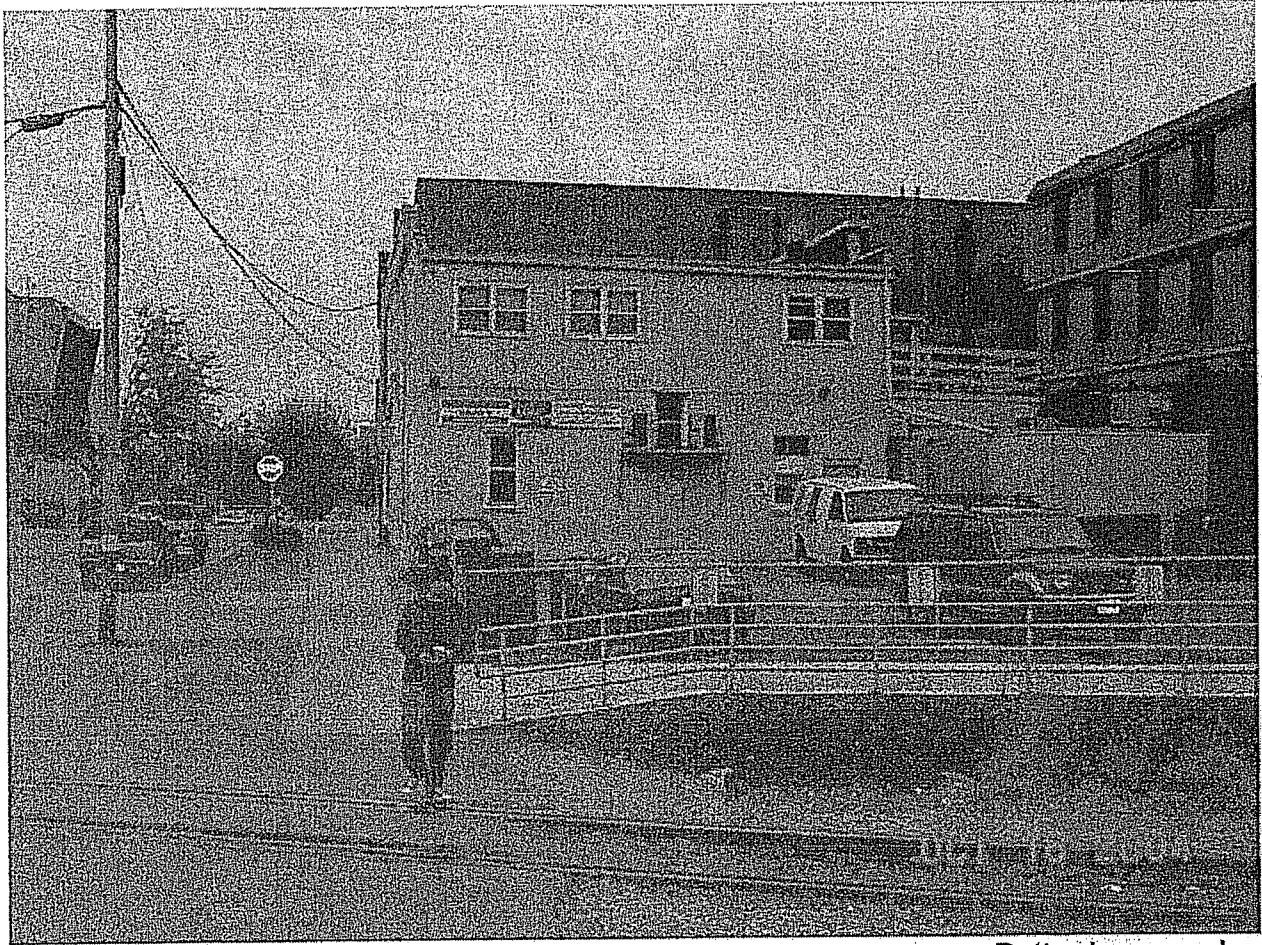
Potter Lawson, Inc



Potter Lawson, Inc



Potter Lawson, Inc

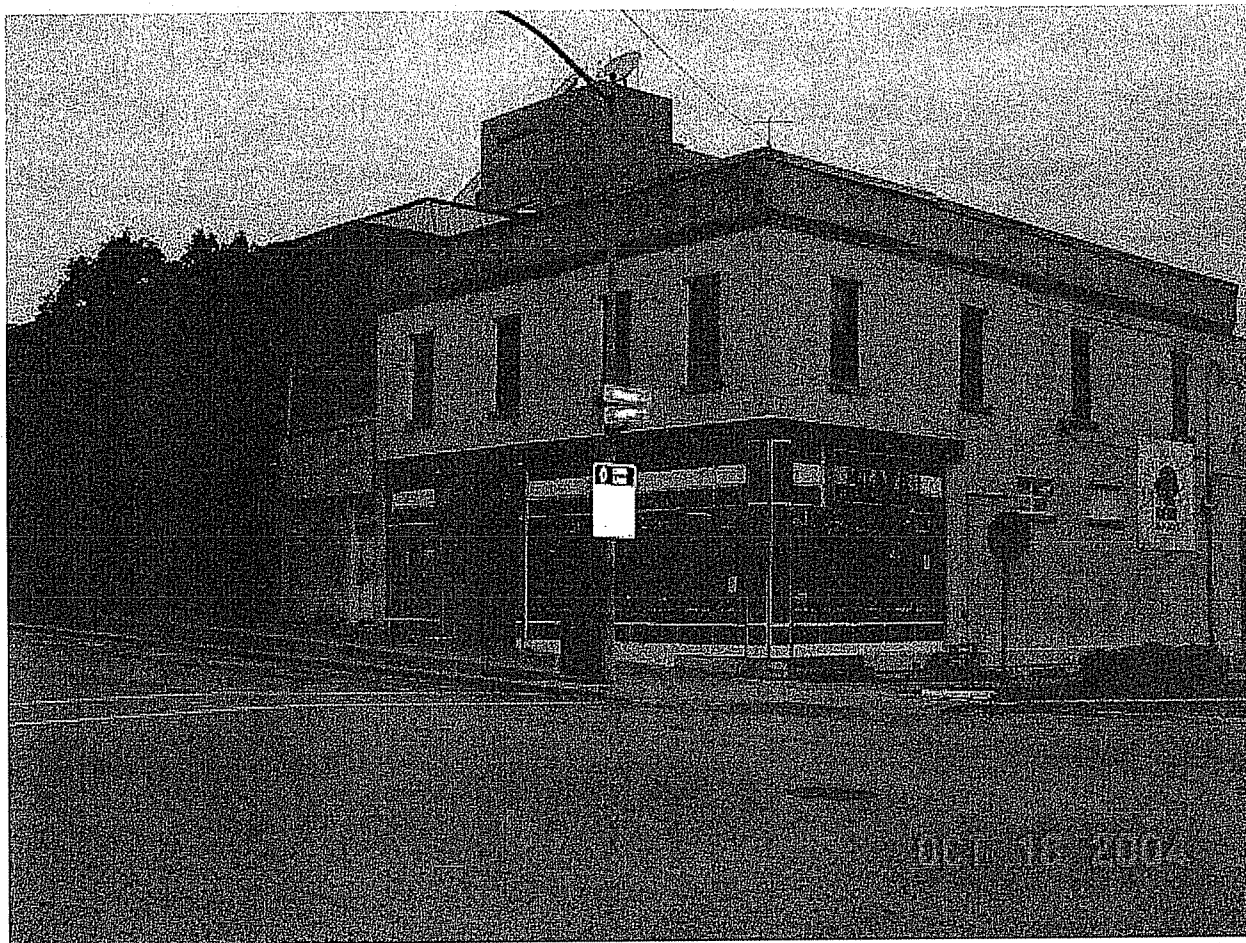


Potter Lawson, Inc

CITY OF MADISON GDP-SIP SUBMITTAL – 7 September 2005

**DAYTON STREET APARTMENTS
TRIO DEVELOPMENT, LLC**

STRUCTURE TO BE DEMOLISHED AT 1202 DAYTON STREET



Potter Lawson, Inc

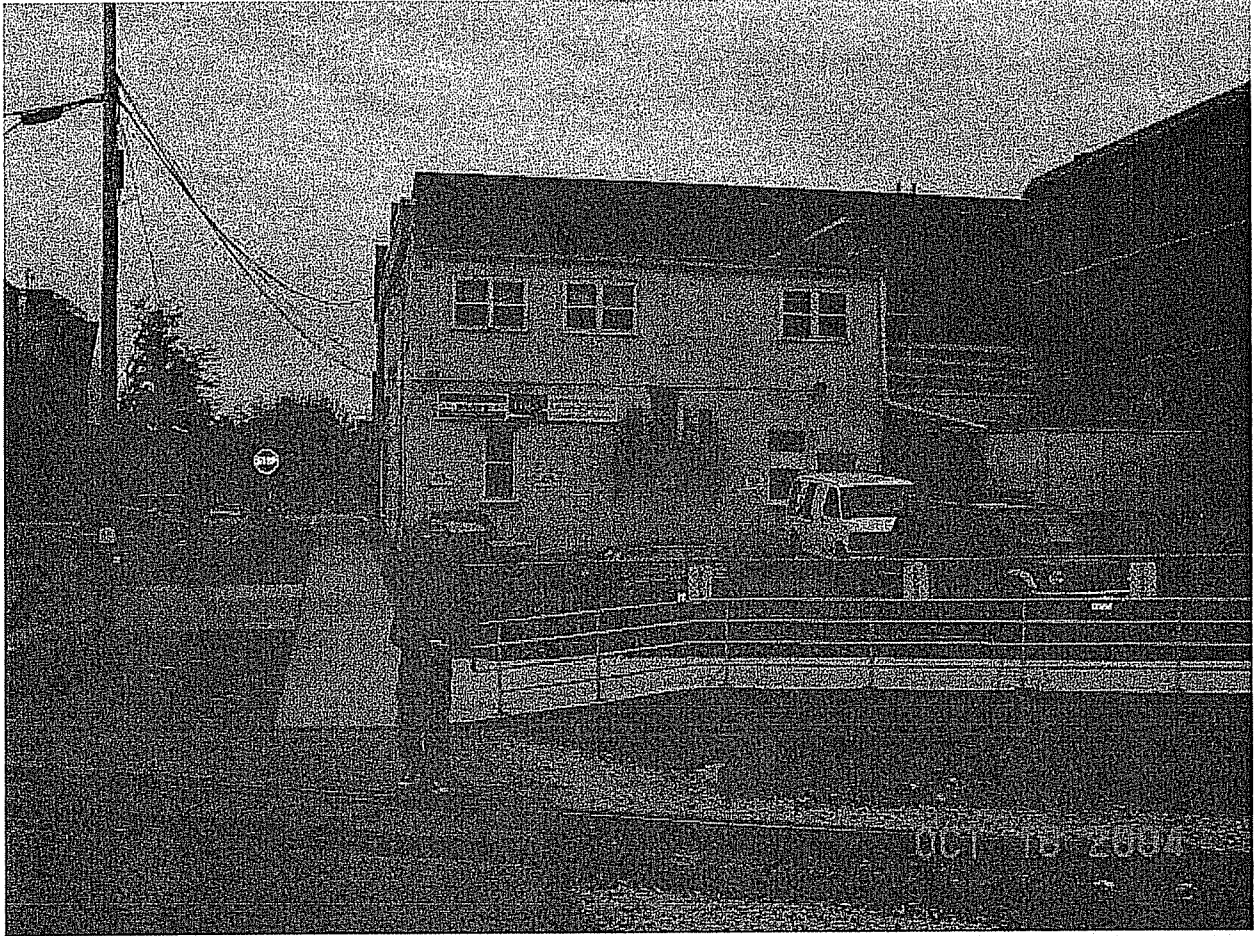


Potter Lawson, Inc

13



Potter Lawson, Inc



Potter Lawson, Inc

Tim,

Thanks for the updates. We are considerably happier with a six-story structure. While our top choice is a 4-story structure, this represents a significant improvement. We still feel it's important for the developer (TRIO) to provide auto parking spaces for retail customers and guests. There is no street parking in that block of Charter and north, nor along Dayton St. The addition of 25 new residential units will place significant added pressure on the already limited street parking south of Dayton St.

The Division of Information Technology provides complex, mission-critical services to the entire University and has 75 staff located at Research Park, many of whom must commute back and forth to our 1210 W. Dayton St. building to conduct business and participate in collaborative teams. (There is a critical space shortage on campus.)

Our staff already have difficulty finding parking spots, which holds up meetings and wastes resources as they circle the streets. We simply cannot afford to see this worsen.

Additionally, delivery trucks already illegally stop or pull up on the Dayton St.

sidewalk, blocking traffic. This congestion and potential for accidents will increase with UPS/FedEx /dry cleaner and other deliveries to the apt. complex.

Given that other apt. owners in the area were required to provide parking, we feel this new complex should not receive special treatment, but do its part to avoid more congestion.

Thanks again for inviting our input,
Kathi Dwelle

From: Austin King
To: Brad Murphy
Date: 9/2/2005 11:36:56 AM
Subject: 1202 Dayton

Hi Brad,

I just met with Bryce Armstrong from TRIO Development about his dramatically-scaled-down plans for the former Milan's property on Dayton & Charter. Please consider this email my waving of the 30-day notice requirement for this project, and let me know if you have any questions.

Thanks, and take care.

Austin

Ald. Austin King
District 8, City of Madison

15