

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of April 18, 2007**

RE: I.D. # 05904: Zoning Map Amendment I.D. 3260 & 3261, rezoning 22 E. Dayton Street from PUD-GDP-SIP to Amended PUD-GDP-SIP

1. Requested Actions: Approval of a request to rezone 22 E. Dayton Street from Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to Amended PUD-GDP-SIP to allow construction of a 48-unit apartment building.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments.
3. Report Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant & Property Owner: Scott Lewis, CMI; 106 E. Doty Street; Madison.

Agent: John W. Sutton, Sutton Architecture; 104 King Street; Madison.
2. Development Schedule: The applicants propose to begin construction in fall 2007, with completion in fall 2008.
3. Location: Approximately 0.33-acres generally located on the north side of E. Dayton Street approximately midway between Wisconsin Avenue and N. Pinckney Street; Aldermanic District 4; Madison Metropolitan School District.
4. Existing Conditions: A seven-unit apartment building formerly located at 18 E. Dayton Street has been relocated to 206 N. Pinckney Street; a two-family residence at 24 E. Dayton Street is in the process of being demolished.
5. Proposed Land Use: A new 48-unit apartment building with 47 underground parking stalls.
6. Surrounding Land Use and Zoning:
North: First United Methodist Church, zoned C2 (General Commercial District) and multi-family residences, zoned R6 & R6H (General Residence Districts);

South: Multi-tenant office buildings and structured parking, zoned C4 (Central Commercial District) and PUD-SIP;

East: Multi-family residences, zoned R6 and C2;

West: First United Methodist Church, zoned C2.

7. Adopted Land Use Plan: The Comprehensive Plan includes the eastern portion of the block within the "Mansion Hill Downtown Residential Sub-District" while the western portion of the block is located within the "Downtown Core Mixed-Use Sub-District." The block is also located within the limits of the 1983 Fourth District – Old Marketplace Neighborhood Plan Strategy, which encourages the character of redevelopment activities to be consistent with the historical character of the surrounding neighborhood, in this case, Mansion Hill.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the Planned Unit Development District standards.

PREVIOUS APPROVALS/RELATED PROJECT

On August 1, 2006, the Common Council approved a request to rezone 203 Wisconsin Avenue from R6 and R6H to C2 and a demolition permit to allow razing of a former church building wing to allow expansion of First United Methodist Church along E. Johnson Street and construction of a new parking lot at E. Dayton Street and Wisconsin Avenue. On the same night, the Council approved a request to rezone 22 E. Dayton Street and 208 N. Pinckney Street from R6H and C2 to PUD-GDP-SIP and a demolition permit to allow relocation of an existing seven-unit apartment building from 18 E. Dayton Street to 208 N. Pinckney Street and demolition of a two-family residence at 24 E. Dayton Street, all to allow construction of a 48-unit apartment building at 22 E. Dayton Street.

PLAN REVIEW

The applicant is requesting approval of a major alteration to a previously approved general development plan and specific implementation plan for a 0.33-acre lot located on the north side of E. Dayton Street approximately midway between Wisconsin Avenue and N. Pinckney Street to allow construction of a new 48-unit apartment building with 47 underground parking stalls. The proposed apartment building was approved as part of the granting of planned unit development zoning for this site and a 0.15-acre property located at 206-208 N. Pinckney Street, which was

approved for the relocation of a seven-unit apartment building from 18 E. Dayton Street to 208 N. Pinckney. The PUD-GDP-SIP also provided zoning continuity for the two-family residence at 24 E. Dayton Street until its demolition to accommodate the proposed apartment building, and for a two-family residence at 206 N. Pinckney Street, which will remain as part of the project. A condition of approval of the initial rezoning called for an amended specific implementation plan that included final details on building architecture, materials and landscaping to be submitted for approval prior to the issuance of building permits for the 48-unit apartment building. The condition also required that a final Inclusionary Dwelling Unit Plan shall be submitted with the final plans that provides a unit count for the apartment building and unit dispersion plan in conformance with ordinance requirements.

Project Description

The five-story, 48-unit apartment building will occupy most of the 0.33-acre site and will contain 3 studio units, 28 one-bedroom units and 17 two-bedroom units. A driveway from E. Dayton Street will extend along the east wall of the proposed apartment building to provide access to the 47 under-building parking spaces, and will connect to the church driveway to be constructed off of E. Johnson Street. The upper level of under-building parking will be largely below grade at the E. Dayton Street elevation, but will become exposed as the building extends north from the street. A total of seven surface parking stalls located at the rear of both the relocated seven-unit building at 208 N. Pinckney Street and the two-family residence at 206 N. Pinckney Street will serve the entire planned unit development. A loading zone and trash enclosure for the project will be provided along the north wall of the 48-unit apartment building.

The proposed 48-unit building will primarily be faced with a brick veneer above a stone base and will incorporate modest step-backs and/or horizontal reveals at the fourth and fifth floors to add visual interest to the building and reduce its mass along E. Dayton Street. The applicant indicates that open space for the building will be provided in an 1,800 square-foot landscaped area along the western side wall of the building above the partially exposed upper level of the under-building parking with an additional 1,500 square feet of open space to be provided in porches or balconies for approximately 43 of the 48 units. Staff asks that the applicant clarify whether the open space along the western wall at the first floor will be available to all tenants within the project or solely for the four units adjacent.

The seven-unit apartment building has been relocated from 18 E. Dayton Street to its new site on N. Pinckney Street and is currently being renovated, while First United Methodist Church has completed the demolition of the school wing on E. Dayton Street and is currently constructed its E. Johnson Street addition. The implementation of the First United Methodist Church and Lewis projects required the adjustment of common property boundaries, the granting of access and fire easements, and the construction of a shared-use mid-block driveway/fire lane. A Certified Survey

Map was recorded in September 2006 to address the necessary lot line adjustments and easement dedications needed to implement the two projects. The shared driveway will be completed later in the implementation of the two projects.

Inclusionary Zoning

At the time the original rezoning of the properties at 22 E. Dayton Street and 208 N. Pinckney Street was submitted, the applicant filed an Inclusionary Dwelling Unit Plan (IDUP) indicating his intent to comply with the inclusionary zoning provisions of the Zoning Ordinance. The IDUP filed at that stage indicated that 9 of the 57 units included within the planned unit development would be provided to families earning 60 percent of the area median income. The nine units equaled the 15 percent minimum required by ordinance for this project. The project was granted a significant density bonus based on the 57-unit project occupying a total of 0.48 acres of land, which resulted in an overall net density of 118.75 units per acre. The proposed density was higher than the 72.6-unit per acre maximum in R6H zoning and the 38-unit per acre maximum in C2 zoning that preexisted the PUD. The project was also granted the ability to locate all nine of the affordable units in the 48-unit building and not in the seven-unit or two-unit buildings that are also part of the planned unit development, even though that was not an incentive formally available at the time the project was approved.

As noted above, the project was approved with a condition that a final IDUP that provides a unit count for the building and dispersion plan in conformance with ordinance requirements be submitted with the final plans for the 48-unit building.

The applicant suggests in his specific implementation plan filing that inclusionary zoning no longer applies to this project, and a final IDUP for this project has not been provided. The State Court of Appeals voided the rental component of the Inclusionary Zoning Ordinance in August 2006, shortly after the applicant's planned unit development was first approved. However, it is the opinion of the City Attorney's Office that inclusionary zoning continues to apply to any rental projects approved between the effective date of the ordinance and the Court of Appeals decision unless the property is rezoned, which would make it subject to the current ordinance provisions and court decision.

The application for consideration is for an amendment to both the recorded general development plan and specific implementation plan as it pertains to the area of the 48-unit building proposed. While the specific implementation plan alteration was specifically required as a condition of approval of the initial granting of PUD zoning to provide details on the construction of the 48-unit building, staff has not identified any changes to the project that would qualify as a major alteration to the approved general development plan. The number of units in the project remains

static at 48, while the design of the PUD remains substantially similar to the plans approved last year.

ANALYSIS & CONCLUSION

The Planning Division believes that final plans for the 48-unit building proposed at 22 E. Dayton Street are in significant conformance with the plans for the building included with the original PUD-GDP-SIP for this site and the two properties on N. Pinckney Street. Staff continues to feel that the resulting units should result in increased housing opportunities on the block and in the Mansion Hill neighborhood, and believes that the request can comply with the standards for planned unit developments. The proposed 48-unit apartment should be a complementary addition to Block 91, Outer Loop and downtown core. The scale of the proposed building appears to be similar to two other multi-family buildings located adjacent to the site at the corner of N. Pinckney and E. Dayton streets, while the architecture of the building should complement the adjacent historic neighborhood.

The Urban Design Commission reviewed the final plans for the building on March 7, 2007 and recommended initial approval (see attached report).

The Comprehensive Plan includes the eastern portion of the block within the "Mansion Hill Downtown Residential Sub-District" while the western portion of the block is located within the "Downtown Core Mixed-Use Sub-District." The proposed 48-unit apartment building appears to straddle the line between the two sub-districts. In general, the Comprehensive Plan provides few specific recommendations in relation to this block but generally encourages new development to include very high quality urban design and architecture with buildings placed close to the street and structured and underground parking. High importance is placed on ensuring that new developments compliment the character in existing neighborhoods, particularly historic neighborhoods. In general, the Planning Division feels the objectives of the Comprehensive Plan relative to this site are accomplished by the 48-unit apartment project, which proposes a well-designed urban building placed close to the street.

The Planning Division is not certain, however, that this project qualifies as a major alteration to the approved general development plan. As noted before, the number of units in the project and its overall design of the PUD appear unchanged from the plans approved last year. While the final plans comply with the condition that the specific implementation plan be amended before construction begins on the 48-unit building, the Plan Commission and Common Council are asked to determine if the project constitutes a major alteration to the general development plan, which would have the affect of absolving the project from providing affordable rental units under Inclusionary Zoning. The final plans may still be approved as a major alteration to the specific

implementation plan only, which would permit the project to proceed so long as it complied with Inclusionary Zoning.

RECOMMENDATION

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment for 22 E. Dayton Street to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions below, either as an Amended PUD-GDP-SIP' or Amended PUD-SIP only, depending on whether the Plan Commission determines if the request constitutes a major alteration to the GDP or not:

1. Comments from reviewing agencies.
2. That the applicant revise the SIP plan set per Planning Division approval to show the following:
 - a.) whether the open space along the western wall at the first floor is available to all tenants within the project or solely for the four units adjacent;
 - b.) that the elevations identify the unidentified building material proposed on the fourth and fifth floors on the E. Dayton Street elevation.
3. If approved as an amended PUD-SIP only, that a final Inclusionary Dwelling Unit Plan be submitted for administrative approval by the Planning Division and Community Development Block Grant Office that provides a final unit count for the development and dispersion plan in conformance with the Zoning Ordinance.

AGENDA # 3

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: March 7, 2007

TITLE: 22 East Dayton Street and 208 North
Pinckney Street – PUD-SIP, Forty-Eight
Unit Building. 4th Ald. Dist. (04001)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: March 7, 2007

ID NUMBER:

Members present were: Paul Wagner, Lisa Geer, Robert March, Bruce Woods, Todd Barnett, Cathleen Feland, Lou Host-Jablonski and Michael Barrett.

SUMMARY:

At its meeting of March 7, 2007, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD-SIP for a 48-unit building located at 22 East Dayton Street and 208 North Pinckney Street. Appearing on behalf of the project were Gene Devitt, Capitol Neighborhoods-Mansion Hill District; Att. Bill White, John W. Sutton, Scott Lewis and Douglas Kozel. Prior to the presentation on this item, staff noted to the Commission that a PUD(GDP) for the development of this site with a future 40-unit, 5 story apartment building as a component of a PUD(GDP-SIP) allowing for the relocation of a 7-unit apartment building previously located at 18 East Dayton Street to be relocated to 208 North Pinckney Street considered by the Commission on July 26, 2006 inadvertently had not been submitted for final approval (both components) by the project's architect. Staff recommended that consideration of the second phase PUD(SIP) should also include final approval of both the PUD(GDP) and PUD(GDP-SIP) components of the first phase. Sutton and Kozel then provided an overview of the second phase SIP as currently proposed. Kozel provided a review of building architecture utilizing the model in addition to several prospective renderings. The street side elevation of the building featuring a centered arch entry. Sutton noted commitment to investigate green amenities including provisions for stormwater retention, the use of rain barrels to feed planters, a ballasted roof in some areas to reflect light up, utilization of low-flow water fixtures, the utilization of high-efficiency heat pump system in addition to the minimization of penetrations and exterior walls. Att. Bill White spoke on behalf of the First United Church's support for the project as part of this joint venture on its own properties combined with that of the applicant, Scott Lewis. Gene Devitt of the Capital Neighborhoods, Inc.-Mansion Hill Districts spoke in favor of the project as part of a whole block combined with the church's property but noted problems with a projecting staircase shaft on the west elevation of the building which should be pushed back. Following the presentation the Commission noted the following:

- Stair tower is a problem.
- The previous review of the project in conjunction with development of the adjacent church's property as part of the whole block development emphasized the excess of hardscape and still requires address. Adjacent surface parking should be redone to incorporate pervious pavers with the utilization of the green roof on the building. Do not want to see the development site all paved; want to see creative use of pavers along access drive to the north as well as adjacent surface parking areas.

- Want to see what the rain barrels look like, where they are located and how they are integrated as part of the structure.
- The base treatment of the building at the sidewalk is too dominant of an element of the building considered tiering to diminish including incorporating landscape amenities. Re-emphasis the ideal roof even a limited amount.
- The site plan is too small to read. Needs to be enlarged including providing details on grading, retaining, and other elements.
- Look at rotating the stair tower element on the westerly elevation to reduce its protrusion as well as integrate as a feature.
- The landscape plan does not correspond with other plans within the plan set update.

ACTION:

On a motion by March, seconded by Barnett, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a unanimous vote of (8-0). At the suggestion of the Chair, Wagner, a motion for formal final approval of the first phase PUD(GDP-SIP) and PUD(GDP) for the first phase for the project was made on a motion by Barrett, seconded by Host-Jablonski, and passed unanimously on a vote of (8-0). A separate motion to grant initial approval of the current phase two PUD(SIP) was made on a motion by March, seconded by Barnett, and passed on a vote of (8-0). The motion required that the stair tower on the westerly elevation be pulled in and integrated into the façade, that a green roof be investigated in whatever form due to the site's imperviousness along with the addition of pervious pavers including amenities for an attractive plaza-like appearance for the driveway access area and surface parking along the northerly perimeter of the proposed structure.

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 6, 6, 6, 6, 6, 7, 7.5 and 8.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 22 East Dayton Street and 208 North Pinckney Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	-	-	7.5
	5	7	4	-	-	6	7	6
	5	7	4	-	-	5	7	6
	6	7	5	-	-	7	7	6
	7	8	6	-	-	7	7	7
	7	6	4	-	-	5	6	6
	5	6	5	-	-	6	6	6
	6	9	-	-	-	-	9	8

General Comments:

- Good urban design, good architectural design. Stair tower needs much more design attention – it’s a sore thumb now.
- Will need to include areas for infiltration of stormwater, a roof green system should be provided since there are very little landscape areas within the site. Permeable pavers in the parking areas adjacent to the residences can improve the heat reflection and aesthetics of this space.
- Nice architecture, complementary to the neighborhood. Concerns: 1) the possible over-imposing base; 2) the need for an extensive and accessible green roof.
- Handsome building. Essentially impervious site.
- Further develop the “green building” before returning for final.
- Stair needs to be better. Incorporated into building design.
- A handsome building. Could you put the stair well inside?



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
608 267 8677 TDD

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.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

DATE: April 11, 2007
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 22 East Dayton Street Rezoning and Demolition

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. The plans call for a storm sewer draining an enclosed depression. The storm drain will back-up during certain extreme events. The applicant shall show how the proposed building will be protected from flooding during these events.
2. Project involves the installation of a sanitary sewer lateral crossing neighboring lots. Evidence of an ownership/maintenance agreement (recorded) shall be provided prior to plan sign off.

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: 22 East Dayton Street Rezoning and Demolition

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 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

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and Engineering Division records.

- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

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.

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 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.
- 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.
- 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.
- 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.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 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).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 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 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) Lot lines
 - g) Lot numbers
 - h) Lot/Plat dimensions
 - i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in this transmittal.

- 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 dedicated 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.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 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. //
- 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.
- 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 and alignment of the proposed service.

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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

April 13, 2007

TO: Plan Commission

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

SUBJECT: **22 East Dayton Street – Rezoning – PUD (GDP-SIP) to Amended PUD (GDP-SIP) – 48 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 will be issued for 22 East Dayton Street, this would be consistent with projects. In addition, the applicant shall inform all owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text; however, the designated inclusionary dwelling units at 22 East Dayton Street, shall be eligible for residential parking permits according to the inclusionary zoning. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to City Traffic Engineer/Parking Manager. The applicant shall note in the Zoning Text the inclusionary zoning dwelling units.
2. The developer shall work with the City to resolve construction-related issues prior to submitting final plans for approval. The site has limited areas on and off site for construction-related use.
3. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

4. The applicant should provide an area for visitor outside and inside tenant moped parking spaces and access. Moped standard parking spaces recommend 4 ft in width and 6 ft in length with a 6 ft access aisle.

5. The applicant shall show all bicycle parking spaces and access aisles to be located inside and outside the building. In addition, the applicant shall indicate the type of bicycle racks to be installed at the facility.

GENERAL OR STANDARD REVIEW COMMENTS

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

6. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
7. The applicant shall provide scaled drawing at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, and vehicle movements, ingress/egress easements and approaches. The applicant shall include sheet C2.O showing the contiguous plan.
8. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
9. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
10. The applicant shall provide the zoning text stating that, " All stacked-parking vehicles shall not use the right-of-way for vehicle storage or maneuvering and how the vehicles shall be moved to allow a blocked vehicle access at all times. A contact person & telephone number shall be provided to handle any complaints or problems with the use of stacked-parking operation on the site."
11. A "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches. 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.
12. The applicant shall design the underground and surface parking areas for stalls and backing up according to "One Size Fits All" stall shall be used for the residential parking area only, which is a stall 8'-9" in width by 17'-0" in length with a 23'-0" backup. The applicant shall show all dimensions parking spaces according to M.G.O. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
13. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
14. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

Contact Person: John Sutton
Fax: 608-255-1764
Email: suttonarch@sbcglobal.net

DCD: DJM: dm

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**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: April 12, 2007

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 22 E Dayton St, Demo and Rezoning., Phase II

Present Zoning District: PUD(GDP-SIP)

Proposed Use: Demo residential structure and build 5 story 48 unit apt. building

Requested Zoning District: Amended PUD(GDP-SIP)

Conditional Use: 28.04(22) Demo of a principal building 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. Provide dimensions of building setbacks on the site plans.
2. 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 stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stall. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stall to the building/elevator. The stall shall be as near the accessible/elevator entrance as possible. Show ramps, curbs, or wheel stops where required.
3. Provide **48** bike parking stalls in a safe and convenient location 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.

4. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	52,200 sq. ft.	14,723 sq. ft. *
Lot width	50'	104'
Usable open space	10,400 sq. ft.	3,165 sq. ft. *
Front yard	0'	4'
Side yards (R-5)	13' each side	7' & 23' *
Rear yard (R-5)	30'-	14' *
Floor area ratio	3.0	2.9
Building height	---	5 stories

Site Design	Required	Proposed
Number parking stalls	0 (Central business district)	43
Accessible stalls	1	(2)
Loading	1 (10' x 35') area	provided
Number bike parking stalls	48	26 (3)
Landscaping	Yes	(4)
Lighting	Yes	To be reviewed at bldg. rev.

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
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 **C-2** 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: April 13, 2007
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **22 E. Dayton 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. Note: A fire lane agreement was established for this block and must be maintained— show fire land for the entire block and this structure.

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 completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
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, Fire Code Enforcement Officer at 608-261-9843 if you have questions regarding the above items.

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