



ADDENDUM - Report to the Plan Commission August 17, 2009

Legistar I.D. #15413
119-125 N. Butler St & 120-124 N. Hancock St
Alteration to Approved & Recorded PUD-SIP

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Clarification on Construction Timeline on PUD Approvals

Questions were raised at the August 3, 2009 meeting regarding timelines to begin construction after approval. Sec. 28.07(6)(h) of the zoning ordinance states:

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

Please note that the applicant's PUD-GDP (Planned Unit Development – General Development Plan) was approved by the Common Council on February 7, 2008.

Clarified Recommendation

Original Recommendation (August 3, 2009)

The Planning Division recommends that the Plan Commission **Place on File** the applicant's requested PUD alteration to relocate 119 North Butler Street to 520 East Johnson Street prior to providing proof of financing as required in Condition 33 of the approval letter dated August 7, 2008. The Division also recommends that the Plan Commission **approve** the applicant's other request to amend the aforementioned condition to allow for noted renovations to 119 North Butler Street, 120 North Hancock Street, and 124 North Hancock Street.

Clarification

If the Plan Commission places on file the applicant's requested alteration, the Planning Division further recommends that the Plan Commission revise the aforementioned condition to allow necessary permits to be issued, in advance of providing proof of financing, to allow for the completion of the renovation and occupancy of the buildings at 119 North Butler Street, 120 North Hancock Street and 124 North Hancock Street.