



Project Address: 622-632 Howard Place
Application Type: Demolition and Conditional Use
Legistar File ID # [31827](#) and [31893](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Michael Waidelich, Principal Planner
Katherine Cornwell, Planning Division Director

Summary

Applicant/Owner: Rebecca Anderson; Lake Town Apartments, LLC; 22 Langdon St., Ste 101; Madison, WI, 53703

Project Contact: Mark Smith; JLA - Architects – Planners; 2418 Crossroads Dr.; Madison, WI 53718

Requested Action: Approval of a demolition of two residential buildings and a conditional use for construction of a multi-family building in the DR2 District.

Proposal Summary: The applicant proposed to demolish two contributing structures in the Langdon Street National Register Historic District, combine two existing properties, and construct a five-story, 33-unit apartment building.

Applicable Regulations & Standards: This proposal is subject to the standards for demolitions (MGO Section 28.185) and conditional uses (MGO Section 28.183(6)).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards cannot be met and **place on file** the request at 622-632 Howard Place. If the Plan Commission finds that it is unclear whether the demolition standards are met, they should **refer** the request to the November 25 meeting of the Landmarks Commission for a recommendation. Finally, if the Plan Commission finds that both the demolition standards and conditional use standards can be met, the Plan Commission should **approve** the proposal. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The subject property is located on the southwest side of Howard Place, north of Langdon Street; Aldermanic District 2 (Zellers); Langdon Street National Register Historic District; Madison Metropolitan School District.

Existing Conditions and Land Use: The 7,538 square foot site is currently two separate properties. 622 Howard Place, a 3,412 square foot property, has a bungalow style structure, which was constructed in 1909 as a single-family home and currently includes six dwelling units. 632 Howard Place, a 4,126 square foot property, has a three-story residential structure, which was constructed in 1910 as a multi-unit residential structure and now includes 13 small apartments. Both buildings are contributing structures in the Langdon Street National Register Historic District. The site is located near the northern terminus of Howard Place, which is a very narrow street within a 12-foot right-of-way.

Surrounding Land Use and Zoning:

North: Across the Howard Place cul-de-sac, small multi-family buildings in the DR2 District, all contributing buildings in the Langdon Street National Register Historic District.

East: Across Howard Place to the east, a variety of residential buildings ranging from a single-family home to a 4-story, 44-bedroom rooming house operated by the applicant. All buildings on the east side of Howard Place are also in the DR2 district, and are contributing buildings in the Langdon Street National Register Historic District.

South: Immediately to the south, a three-story, 13-unit multi-family building. Further south and facing Langdon Street, six three-story multi-family buildings and rooming houses. All are in the DR2 District and all but one are contributing buildings in the Langdon Street National Register Historic District.

West: A four-story, 18-unit apartment building oriented to North Frances Street. This building was constructed in 1995 in the PD (Planned Development) District, and is a contributing structure in the Langdon Street National Register Historic District.

Adopted Land Use Plan: The Comprehensive Plan (2006) includes this property within the Langdon Downtown Residential Sub-district, where multi-family residential uses at a density of 60+ units per acre, and small scale commercial uses are recommended. The plan also recommends historic preservation areas in strategic locations as defined in City-adopted detailed neighborhood development plans. With regard to this proposal in the Langdon area, the Downtown Plan (2012) recommends preservation and rehabilitation of contributing historic buildings, and infill redevelopment on sites with buildings that are not identified as contributing to the National Register Historic District (see body of report for more detail).

Zoning Summary: 622-632 Howard Place are located in the DR2 (Downtown Residential 2) District.

Dimensional Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	7,809 sq. ft.
Lot Width	40 for 4-unit buildings and higher	Adequate
Front Yard Setback	10'	10'2"
Side Yard Setback	5'	5'
Rear Yard	20'	20' SE portion, 14' W portion (6' variance)
Maximum Lot Coverage	80%	60%
Minimum Height	2 stories	5 stories
Maximum Height	5 stories	5 stories
Usable Open Space	20 sq. ft. per bedroom (660 sq. ft.)	1,605 sq. ft.

Site Design	Required	Proposed
Number parking stalls	0	0
Bike parking	36	TBD
Landscaping	Yes	Yes
Lighting	No	No
Building forms	Yes	Meets building forms
Other Critical Zoning Items: None		

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a range of urban services including Metro Transit Routes along nearby State Street.

Project Description

The applicant proposes the demolition of two contributing buildings in the Langdon Street National Register Historic District for the construction of a five-story, 33-unit apartment building for a total of 47 residents. No automobile parking is proposed. On this irregularly shaped lot, the proposal meets the requirements in the Downtown Residential 2 (DR2) District, aside from a portion of the rear yard, for which the Zoning Board of appeals granted a variance on October 10, 2013.

Existing Buildings –622 Howard Place is a two-story, 1,800 square foot bungalow (apparently the last bungalow structure in this area) originally constructed in 1909 as a single family home. Of the two structures proposed for demolition, it is in better condition, and is currently divided into 6 small one-bedroom residential units with unique floor plans.

632 Howard Place is a three-story, 5,000 square foot structure designed by Claude and Starck, and constructed in 1910 as a multi-unit residential structure. Its interior is divided into ten efficiency units, 2 one-bedroom units, and 1 two-bedroom unit. Some of the units have access to bathrooms at the end of a common hallway. The interior of this building is in need of significant improvement and reorganization in order to better compete in today's market, and the foundation is apparently settling differently in different parts of the structure.

Staff has included information from a non-invasive structural assessment of the structures, which was provided by the applicant. Staff believes that the bungalow at 622 Howard Place is in relatively good shape from a structural standpoint, and while the assessment 632 does indicate some structural concerns, all seem to be possible to fix. The applicant limited the assessment to a non-invasive exploration, since both buildings are occupied. It is possible that more persuasive findings could be provided following a more thorough assessment.

These two buildings sit among an eclectic mix of building types and architectural styles. Buildings adjacent to the property range from two to four stories, with building footprints ranging from about 1,500 to 6,000 square feet. Currently, 11 of the 13 structures adjacent to Howard Place are designated as contributing structures in the Langdon Street National Register Historic District.

Building Mass and Placement – The proposed building meets the setback requirements along Howard Place in the DR2 District with a 10-foot setback from Howard Place, along the east (front) side of the building and a six to eight-foot setback along the north side of the building. At five stories, the building is 63-feet tall at the peak of the pitched rooftop (55-feet at the eave), which is taller than the surrounding three and four-story buildings, but is within the maximum allowable height shown on the Downtown Height Map. At approximately 4,600 square feet, the footprint of the proposed building is in the middle of the range of surrounding buildings.

Parking, Access, and Circulation – No automobile or moped parking is proposed for the site. Submitted plans show a bike parking storage area in the basement, but it is unclear whether this area will sufficiently accommodate the 33 required bicycle stalls for residents. However, there are three additional "unfinished common" spaces in the basement, where sufficient long term bicycle parking and additional storage for tenants could likely be accommodated. To access this area, one must enter through the main entrance, take the elevator down one level, and go through an additional door into the bike parking area. Site plans do not show any convenience outdoor bicycle parking stalls for visitors or residents, and at least three are required by the zoning code.

Building and Site Design – The building exterior has a base comprised of three types of architectural concrete masonry units with what reads as split faced block on the first few feet from the ground, and a tumbled stone look in two different colors for the remainder of the first floor. First floor windows have precast concrete sills and headers. Floors two, three, and four are clad in a yellowish brick veneer on the prominent Howard Place facades (north and east elevations), with soldier course headers above the windows and balcony doors, except on the fourth floor, where some of these lintels are cast stone. On the rear of the building facing south and west, these floors are clad primarily a yellowish fiber cement, without the detailing on the windows.

Emerging from this four-story architectural piece is a fifth floor, stepped back five feet from the Howard Place facade, and clad in dark brown fiber cement. The brown fiber cement runs down to the stone base of the building in two areas on the southeast and west sides of the building. The building has a pitched roof with architectural shingles, which adds eight feet of building mass above the eave, but is probably only visible from afar, since Howard Place is so narrow.

The main entrance to the building is centrally located on Howard Place, accessible by stairs and a ramp behind a short stone wall. This leads into a small vestibule and the centrally located elevator for the building. Two stairwell building exits are provided on the west and southeast sides.

The site plan shows refuse and recycling containers lined up against the southeast side of the building, and air conditioning units placed on the ground behind the building. The landscape plan for the site includes shrubs and small perennials along the northern side of the building and in small portions of the rear yard.

Density and Unit Mix –The proposed building includes 18 efficiencies, 1 one-bedroom unit, and 14 two-bedroom units, representing a total increase of 27 bedrooms on the site (20 existing bedrooms, and 47 proposed). The proposed density is 190 units per acre (271 bedrooms per acre), which is generally appropriate in this area.

All units are generally very small, with efficiencies ranging from 285 to 360 square feet, and two-bedroom units ranging from 670 to 805 square feet. Seven of the two-bedroom units are unique among recent multi-family housing proposals catered to the student market. These are essentially configured as two separate efficiencies with a small shared kitchen space between them. Each resident would have their own secure access doorway from the main hall and a bathroom. Aside from the kitchen, there is no additional common space shared between the two residents in these units.

Two of the fifth floor units have access to long, five-foot deep balconies spanning the length of the building, and other units have French balconies. These do not have occupiable space, but allow for exterior doors to be opened. Aside from the two fifth floor units, other tenants will need to utilize the 1,180 square feet of usable open space provided in the rear yard.

Related Reviews and Recommendations

Landmarks Commission - On August 26, 2013, the applicant gave an informational presentation to the Landmarks Commission to get feedback on the proposed demolition and building (see Legistar ID# [31212](#)). A summary of the discussion is included in the Plan Commission packet for reference. In their review, the Landmarks Commission voted unanimously to recommend to the Plan Commission the following:

“That the buildings at 622 and 632 Howard Place are both contributing structures in the Langdon Street National Register Historic District, that one was designed by a master architectural firm, that one is the last bungalow in the area, that this proposal goes against the recommendations for the area in the Downtown Plan, and that the buildings appear to be structurally sound; and therefore, the Landmarks Commission strongly opposes their demolition and the accelerated pace of redevelopment within the historic district.”

The Plan Commission may elect to refer the proposal back to the Landmarks Commission for a formal recommendation, but their intent seems clear in the substance of this motion.

Zoning Board of Appeals - On October 10, 2013, the Zoning Board of Appeals granted a 6-foot variance for the rear yard, due primarily to the irregularity of the lot shape (see Legistar ID# [31230](#)). It is important to note that in a portion of the rear yard, the 20-foot rear yard requirement is met. The variance only pertains to the western portion of the rear yard in the vicinity of the western stair tower.

Urban Design Commission - On November 13, 2013, the applicant will present the proposal to the Urban Design Commission, seeking a recommendation to the Plan Commission on the design of the proposed building. Results from that meeting will be provided in an addendum to this report.

Project Analysis

Demolition Standards

In order to approve the proposal, the Plan Commission must find that the proposed demolition of both of the existing residential structures and the proposed apartment building are consistent with the purpose of the demolition section of the Zoning Code (MGO Section 28.185), with the Comprehensive Plan (2006), and with the Downtown Plan (2012). The Plan Commission may consider the impacts of the demolition and proposed use on the normal and orderly development and improvement of surrounding properties, reasonableness of efforts to relocate the buildings, and the limits that the location of the buildings would place on relocation efforts.

In this case, it is not possible for staff to support demolition of the two existing structures due to the fact that they are contributing buildings in the Langdon Street National Register Historic District. The Downtown Plan (2012) has two recommendations directly related to this proposal, within the Langdon section of the chapter entitled, "Maintain Strong Neighborhoods and Districts":

Recommendation 94: Encourage preservation and rehabilitation of contributing historic buildings.

Recommendation 95: Encourage relatively higher density infill and redevelopment that is compatible with the historic context in scale and design on non-landmark locations and sites that are not identified as contributing to the National Register Historic District.

When taken together, staff believes that these recommendations suggest that the proposed apartment building before the Plan Commission could be supported if it was in a location that did not involve the removal of contributing structures. Staff believes that the proposed building is relatively similar in scale to the surrounding context, and that with design changes, it could complement the area. However, the two existing buildings contribute significantly to the eclectic mix of building types in the area, and should be rehabilitated instead of demolished to accommodate new construction. As has been mentioned, of the 13 structures adjacent to Howard Place, 11 are contributing structures in the Langdon Street National Register Historic District, meaning that this subarea is relatively intact with regard to the historic building stock. The removal of two contributing structures from this unique subarea would erode its historic character. Staff notes that due to the narrow width of Howard Place, the relocation of the existing structures would be nearly impossible, and does not recommend relocation as a practical option.

The applicant, who has owned and managed the properties since 2006, has presented materials summarizing the condition of each structure. While both structures, and especially 632 Howard Place, would need a significant investment to be brought up to today's market standards, staff does not see anything in the report that signifies irreparable structural issues. Staff has discussed with the applicant the fact that tax credits could be utilized to recoup a significant portion of the reinvestment in the existing buildings. Also worth considering is the fact that construction of the proposed building at this tight location adjacent to a twelve-foot wide public right-of-way would be challenging and expensive, especially due to the need provide additional fire safety measures and maintain access to other properties during the construction period.

MGO Section 28.185(7)(a)4 provides that in their consideration of a demolition request, the Plan Commission shall consider the report of the City's historic preservation planner regarding the historic value of the property, as well as any report submitted by the Landmarks Commission. Both will be included for Plan Commission review. As noted, the Landmarks Commission has reviewed this proposal on only an informational basis, and has shared with

the Plan Commission their strong opposition to the demolition of the two existing buildings. If the Plan Commission prefers to have a more formal recommendation from the Landmarks Commission related to the structures proposed for demolition, this proposal could be referred to the November 25 Landmarks Commission meeting, which would allow for it to be heard again as soon as the December 2 Plan Commission meeting.

Conditional Use Standards

The proposal requires conditional use review for a building with over eight dwelling units in the Downtown Residential 2 (DR2) District. When reviewing the proposal separately from the demolition, staff believes that on balance the conditional use standards could be met with slight changes and assurances regarding fire safety and maintenance of access during construction. If the two buildings proposed for demolition were not contributing buildings in the Langdon Street National Register Historic District, staff would generally support the construction of the proposed building, which meets the requirements of the DR2 Zoning District, is generally consistent with recommendations in the Downtown Plan, and fits in well with the eclectic mix of surrounding buildings. The proposed residential units are small, and the introduction of the "twin efficiency" units with shared kitchens is unique and well suited to this area, which is otherwise a mix of lodging houses and older apartment buildings. A review of each of the relevant conditional use standards follows:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this condition can be met so long as fire safety requirements can be adequately addressed. Early in the review process, Madison Fire Department staff had expressed concerns about the difficulty serving this site, due to the narrow Howard Place. While the existing buildings are accessible at three stories, the Fire Department indicated to the applicant that it might be challenging to reach the upper levels of the building due to inadequate horizontal space. The building will be fully sprinklered, and at this time, staff understands that the applicant is working on additional safety measures to satisfy the Fire Department.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met, subject to fire safety details discussed above, and subject to meeting conditions of other agencies.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard can be met.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard can be met.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met with slight changes to the proposal. First, within this area, and due to the very narrow Howard Place, staff supports residential buildings without automobile parking. However, the applicant may want to consider including at least 4-5 outdoor moped parking stalls. Tenant leases should clearly state that moped parking is either not provided or minimally provided on the site, and

that tenants with mopeds will need to find parking elsewhere. The lease should specifically note that mopeds may not be parked in areas not designated for moped parking.

Also, bicycle parking in the basement level should be easier to access by tenants. Instead of placed in a separate storage area behind an interior door, the bike parking area should be open within the basement. Final plans should demonstrate that the main entrance doors, vestibule, and elevator are designed to easily accommodate tenants bringing bicycles in and out of the building. Further, at least three convenient outdoor stalls must be provided for visitors.

While the construction of the building is not a long-term concern, it is important to reiterate that this site presents significant construction constraints, which may lead to the need for innovative and expensive construction methods should the proposal move forward. As mentioned in Traffic Engineering comments, access to neighboring properties would need to be maintained at all times, and little or no public right-of-way may be utilized for construction staging.

Finally, all engineering conditions related to stormwater management must be addressed to fully satisfy this standard.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard is met, noting that a six foot rear yard variance was granted by the ZBA.

9. *When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission:*
 - a. *Shall bear in mind the statement of purpose for the zoning district, and*
 - b. *May require the applicant to submit plans to the Urban Design Commission for comment and recommendation*

Staff believes that the proposed building meets the statement of purpose for the DR2 District. Based on a recommendation by staff, the applicant has elected to present the proposal to the Urban Design Commission on November 13, 2013 for comment and recommendation. The results of that meeting will be summarized for the Plan Commission in an addendum to this report.

[Standards 6, 8 and 10-15 do not apply to this request]

Design Considerations

Putting aside the concern about demolition of the two existing structures, staff has reviewed the design of the proposed building. The massing and height of the proposed building are consistent with the Downtown Plan, and while it would be the tallest building in this area, it is not particularly large, and could complement the eclectic mix of surrounding buildings. Staff will summarize UDC comments for the Plan Commission in an addendum to this report, and requests feedback from the UDC regarding the following specific design issues:

Four-sided architecture - Due to the economics of the proposal, the applicant has elected to maximize the use of masonry on the front of the structure, while the less visible back side of the building is almost entirely clad in fiber cement siding. Staff would prefer to see additional brick on the back of the building, even if not utilized on the entirety of the first four floors of the building. Staff would like feedback from the UDC on this issue.

Fifth floor and roof element - Staff believes that the fifth floor almost reads as a second building emerging from or overlapping with the main building. While the five foot setback on the fifth floor provides a valuable balcony area for two units, staff envisions the alternative as a five-story flat-roofed brick building, with the stepback eliminated. Staff would like feedback from the UDC on the details related to this issue, including the proposed

pitched roof, the contrast between materials and color, and whether or not the stepback is a valuable and necessary aspect of the building design.

Building base – Staff would prefer to see a consistent color of stone utilized for the base of the building, rather than two colors. Related to this issue, regardless of whether or not the fifth floor element contrasts with the rest of the building, it does not seem necessary to bring the dark brown fiber cement down all the way to the stone base on the west and southeast sides of the building.

Public Input

On August 28, staff attended a neighborhood meeting convened by Alder Zellers, where this proposal was introduced. Feedback at that initial meeting included some support for the proposal; but several concerns were expressed about the demolition of the existing buildings, which many felt fit in very well in this tight urban setting and simply need to be improved. The potential loss of affordable student housing options was also discussed as a concern. A development steering committee was formed within the State-Langdon Neighborhood Association to continue meeting with the applicant over the course of recent weeks. Comments from the steering committee and others will be included when received.

While not directly related to this proposal, it is worth noting that an application has been received by the City for the creation of a local Landon Historic District. This was motivated by the recent loss of contributing structures in this area, and consideration of the creation of a local historic district is supported by recommendations in the Downtown Plan.

Conclusion

After careful review, staff believes that the proposed building would generally complement the surrounding context, and that with recommended changes, the conditional use standards could likely be met with regard to the proposed building. However, based on inconsistency with the Downtown Plan recommendations to protect contributing buildings in the Langdon Street National Register Historic District, staff does not believe that the proposal can meet the demolition standards.

The two existing buildings do indeed require an investment to meet today's market expectations, and the structures require rehabilitation to address deferred maintenance to appropriately steward these contributing historic resources and ensure long term viability. However, the report provided by the applicant does not demonstrate that the two contributing structures are in a state of disrepair that warrants demolition. Therefore, staff does not support the proposal due to the proposed demolition of contributing buildings in the Langdon Street National Register Historic District.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition standards cannot be met and **place on file** the request at 622-632 Howard Place. Alternatively, if the Plan Commission finds that it is unclear whether the demolition standards are met, they may **refer** the request to the November 25 meeting of the Landmarks Commission for a formal review and recommendation. Finally, if the Plan Commission can determine that both the demolition standards and conditional use standards can be met, the Plan Commission should **approve** the proposal with conditions. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Heather Stouder, 266-5974)

1. Prior to the issuance of demolition permits, the applicant shall submit proof of financing for the proposed new building for approval by the Director of the Department of Planning and Community and Economic Development. Proof of financing shall include a letter of commitment from a bank with the amount committed, and documentation for the estimated cost of the project, including that of the demolition, recycling, and reuse of the existing buildings, site improvements and building as approved, any necessary fire safety measures as approved, and costs associated with an approved construction plan.
2. Final plans submitted for staff review and approval shall address the recommendations by the Urban Design Commission as follows (TBD).
3. Final plans submitted for staff review and approval shall show detail on the bicycle parking for the site. Bicycle parking provided for residents in the basement shall be located in an open area easily accessed from the elevator.
4. The applicant is encouraged to include moped parking in final plans submitted for staff review and approval. If fewer than seven stalls are provided (which would meet one per seven bedroom ratio generally recommended for student apartment buildings), the applicant shall submit for staff review a copy of the tenant lease indicating clearly that moped parking is minimal on the site, and that tenants will not be allowed to park mopeds outside of designated stalls.

Zoning Administrator (Contact Pat Anderson, 266-5978)

5. There are balconies shown on some of the street-facing and side yard walls of the buildings. Details in the submitted plans do not clearly show these features. Balconies are not a permitted obstruction into the front yard setback or side yard area. The balconies may be acceptable, but their projection relative to the required setback has not been provided. A balcony setback variance was not considered as part of the October 10, 2013 decision. Work with Planning and Zoning staff as these features may need to be removed and or redesigned for the final plan sets.
6. Section 28.185(7)(a)5 requires that if a demolition or removal permit is approved, a demolition permit shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Mr. George Dreckmann (608) 267-2626.
7. Section 29.185(1) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5 shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
8. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
9. Provide detail on the usable open space and building elevations as defined in section 28.211 that complies with MGO Section 28.079(2) and 28.071(3)(d) on the final plan sets.
10. A variance of 6 feet more or less from the required rear yard was approved for this project on October 10, 2013 by the Zoning Board of Appeals.
11. Bike parking shall meet requirements in MGO Section 28.141(11). Final site plans shall show at least 36 bicycle stalls, at least 4 of which are located outside of the building for short-term bicycle parking. The remainder shall

be designed as long-term bike parking, per sec. 28.141(11)(c). If moped parking is proposed in revised plans, it shall meet the requirements in MGO Section 28.141(12) as approved on a revised site plan.

12. Provide details of a trash enclosure.

Water Utility (Contact Dennis Cawley, 266-4651)

13. Madison Water Utility shall be notified to remove the water meter prior to demolition.

14. The property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

City Engineering Division (Contact Janet Dailey, 261-9688)

15. The pending Certified Survey Map for this property shall be completed and recorded with the Register of Deeds (ROD) prior to issuance of building permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for new parcel land records.

16. The property boundary and easements encumbering or benefitting the property shall be updated to correlate to the final configuration of the pending Certified Survey Map upon its approval.

17. A recorded copy of an easement/agreement for the encroaching stairwell to the southeast shall be provided and the location and recording information noted on the face of the site plan.

18. The site plan shall show the location of the Public Water Main Easement as per Doc. No. 243742. The easement appears to transect the northerly portion of the Lot.

19. Public sanitary sewer, storm sewer and water main facilities lie within the site or very close to the northerly most side of the proposed site. Coordination of public easements required or area(s) to be dedicated will be required with City of Madison Engineering and Water Utility.

20. Upon confirmation of the existing right of way configuration of Howard Place in conjunction with the approval of the pending Certified Survey Map, additional dedication of right of way will be required for any street improvements that lie within this site. Dedications shall be accomplished by the Certified Survey Map.

21. Applicant shall install City pedestrian light for Langdon Mid-Block Path.

22. The address number of 632 Howard Place shall be retired with the demolition of the existing building. The address for the new apartment building shall be 630 Howard Place.

23. Show information on how the inlet in the stair well of the building immediately to the south is currently served.

24. Roof drains shall be connected to the public storm system with safe overflow's designed in to cover times when the system is at capacity.

25. Construction of the proposed development shall take into consideration the site constraints and shall provide the City with a detailed staging and construction plan. Howard Place right of way shall not be utilized during the construction unless approved by the City Engineer and the City Traffic Engineer. Traffic shall be maintained at all times on Howard Place.

26. 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 (MGO 16.23(9)c).

27. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
28. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
29. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
30. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
31. The approval of this Conditional Use or PUD 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 (MGO 16.23(9)(d)(6)).
32. 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 (POLICY).
33. The Applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system (POLICY).
34. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5 and 23.01).
35. All damage to the pavement on Howard Place adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).
36. The site plans shall be revised to show the location of all rain gutter down spout discharges (POLICY).
37. 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 (POLICY AND MGO 10.29).
38. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 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.
39. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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 (NOTIFICATION).

40. Prior to approval, this project shall comply with MGO Chapter 37 regarding stormwater management. Specifically, this development is required to:
- a) Reduce TSS off of the proposed development by 80% when compared with the existing site.
 - b) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by MGO Chapter 37.
41. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
42. 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 (POLICY).
43. 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 (POLICY and MGO 37.09(2)).
- 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)
44. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work (MGO 10.05(6)) and MGO 35.02(4)(c)(2)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
45. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (MGO 37.05(7)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
46. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO CH 35.02(14)).
47. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

Traffic Engineering (Contact Eric Halvorson at 266-6527)

48. This site presents difficult constructability issues; the developer may need to use non-standard construction methods at this site. Access to neighboring sites must be maintained at all times. Little to no access will be granted to the public right-of-way for construction purposes.

49. No residential parking permits shall be issued for 622 - 632 Howard Pl, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility requirement in their apartment leases. In addition, the applicant shall submit for 622 - 632 Howard Pl a copy of the lease noting the above condition.

50. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the two (2) feet overhang, adjacent driveway approaches to lots on either side and across the street, on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.

51. The Developer shall post a deposit and reimburse the City for all costs associated with any modification to traffic signals, street lighting, signing and pavement marking, and conduit/handholes, including labor, engineering and materials for both temporary and permanent installations.

52. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

53. All parking facility design shall conform to MGO standards as set in section 10.08(6).

Parks Division (Contact Kay Rutledge, 266-4714)

54. The developer shall pay approximately \$32,947.60 for park dedication and development fees for the new 33 MF unit development after a credit is given for the 19 multi-family units that currently exist on the properties.

<u>New Development:</u>	
Fees in lieu of dedication = (33 MF @ \$1,708) =	\$56,364.00
Park development fees = (33 MF @ \$645.40) =	\$21,298.20
Subtotal (Fees) =	\$77,662.20
<u>Existing Credit:</u>	
Fees in lieu of dedication = (19 MF @ \$1,708) =	\$32,452.00
Park development fees = (19 MF @ \$645.40) =	\$12,262.60
Subtotal (Credit) =	\$44,714.60

55. The developer must select a method for payment of park fees before signoff on the conditional use.

56. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

57. This development is within the Tenney-Law-James Madison park impact fee district (SI26). Please reference ID# 13160 when contacting Parks about this project.

Fire Department (Contact Bill Sullivan, 261-9658)

58. An automatic fire sprinkler system in accordance with NFPA 13 is required.

59. Due to the limited access to the site, additional fire safety features will be required. MFD will continue discussions with JLA Architects to establish provisions for an equally as safe building.