

AGENDA # 2

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: January 5, 2011
TITLE: 115 & 117 South Bassett Street – A Major Alteration to an Approved PUD(GDP-SIP) to Construct a New Four-Unit Building with Four-Bedrooms in Each Unit at the Rear of the Site Containing a Two-Unit and Four-Unit Apartment Building. 4 th Ald. Dist. (20918)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: January 5, 2011	ID NUMBER:

Members present were: Marsha Rummel, Mark Smith, Todd Barnett, Richard Slayton, John Harrington, R. Richard Wagner, Melissa Huggins and Henry Lufler, Jr.

SUMMARY:

At its meeting of January 5, 2011, the Urban Design Commission **GRANTED FINAL APPROVAL** of the new residential building located at 115 and 117 South Bassett Street. Appearing on behalf of the project were Matt Aro, Christopher Thiel and Brandon Cook. Aro spoke to the Commission, providing an update on the previously approved renovations of the two existing buildings on the parcel, their construction to this point and the Plan Commission's non-approval of a similar new building at the rear of the site. Aside from a newly redesigned building to address Planning staff and Plan Commission concerns, the setbacks have been increased to 9-feet, the number of units has been decreased. Much of the character of the building has been tweaked to simplify the design of the building. The plan calls for four, four-bedroom apartments with balconies with a patio for the first floor. Parking has been reoriented and slightly reduced. Ample bike parking has been added to meet the needs of all the bedrooms. Thiel then spoke to using the site efficiently by using the hardscape and adding as much greenspace as the site will allow. They are looking at the possibility of using a tray roof to catch some of the rainwater that gathers at the abutting property. Comments and questions from the Commission were as follows:

- I'm struggling with the context.
- I like the more contemporary design.
- Worried about passenger vehicles having enough room to back up.
- How does the circulation work?
 - It's a series of back-and-forth.
- Why would you plant Bishop Weed?
 - It's bullet-proof with no maintenance.
- There needs to be something to prevent cars and bikes from overhanging the sidewalk.
- Have you had a neighborhood meeting?
 - They liked the plan. They liked the biking, the smaller building. It's the architecture that they aren't excited about.

- I think it's essentially the same as what we've seen before.

ACTION:

On a motion by Slayton, seconded by Smith, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a vote of (7-0). The motion provided for the following:

- Provide a back-up space by relocating the trash receptacle.
- Provide a wheel stop or curbing so the adjacent sidewalk doesn't become over-parked by adjacent cars and utilized as overflow bicycle parking.

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 5, 5, 6, 6, 6 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 115 & 117 South Bassett Street

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

General Comments:

- Parking back-up space is too tight.
- Not impressed by squeezing in 16 bedrooms at the back of a lot by architecture.
- Viva modernism!



City of Madison Fire Department

325 West Johnson Street, Madison, WI 53703-2295

Phone: 608-266-4420 • Fax: 608-267-1100 • E-mail: fire@cityofmadison.com

DATE: January 21, 2011
TO: Plan Commission
FROM: Bill Sullivan, Fire Protection Engineer
SUBJECT: **115-117 S Bassett Street Rezoning: PUD-SIP to Amended PUD-GDP-SIP**

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. The Madison Fire Department does not support this project as currently configured.
 - MFD has concerns about the size of the window wells not complying with the minimum dimensions as well as the lack of a path to the public way from the window wells as required by the International Building Code (IBC).
 - MFD is also concerned with maintenance access to the window wells for clearing snow and debris.
 - Due to the proximity of the structure to the property lines, the trash enclosure and window wells; a hose stretch from South Bassett Street to the rear and one side of the building cannot be accomplished as required by the IBC.
 - Another issue with the proximity to the property lines is the lack of access to the emergency escape windows from the bedrooms. There is not enough room to set up ground ladders in a safe manner.
 - With the existing building having a near zero setback, this building creates a fire exposure issue to (4) buildings on adjacent properties.
 - The site constraints created by the additional (2) buildings on the property and the adjacent buildings will have a negative impact on the ability of the MFD Command Vehicle to get close enough to assess any situations and will add a degree of difficulty in directing fire ground operations. Additionally, the site constraints will make fire ground operations more difficult and add potentially delay initial operations since portable equipment must be used and carried to the building from South Bassett Street.

GENERAL OR STANDARD REVIEW COMMENTS

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

2. The required sprinkler system would need to be upgraded from the NFPA 13R Standard (typically used in residential buildings of 4 stories or less) to the NFPA 13 Standard Sprinkler system to allow an increase of the allowable unprotected window openings due to the proximity of the structure to the property lines.


Please contact me at 608-261-9658 if you have questions regarding the above items.



Department of Planning & Community & Economic Development
Building Inspection Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2984
Madison, Wisconsin 53701-2984
TTY/TEXTNET 866 704 2318
FAX 608 266 6377
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DATE: February 3, 2011
TO: Plan Commission
FROM: Matt Tucker, Zoning Administrator 
SUBJECT: Summary of project completion status and enforcement activity, Brandon Cook

At its February 7th 2011 meeting, the Plan Commission will be considering a rezoning request to accommodate a project for Mr. Cook. The following pages provide a summary of projects that have been undertaken by Mr. Cook, including relevant code enforcement activity associated with each project/address. In reviewing this request, staff believes the Plan Commission should consider this information when evaluating this request. Staff's specific concerns include: the assurance that the project will be completed, completed in a timely manner, completed in compliance with zoning and building code requirements, and completed in consistency with the approved plans.

430 W. Dayton Street, PUD rezoning, approved January 8th 2008.

Approval of a request to rezone 430 W. Dayton Street from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow construction of an apartment in the basement of an existing three-unit building, also to retain the existing detached single-family residence. (Note: replacement carriage house building not approved, existing single family dwelling allowed to remain)

2/4/2008 Building permit issued to create a dwelling unit in the basement.

Construction update and current status:

- Tenant complaints received for all units in the building over the past 1.5 yrs. Upper three dwelling units have a mix of various code violations, typical to those discovered during programmed inspections.
- Unit 101: Noncompliance as result of Official Notice, case referred to City Attorney's office for prosecution, court hearing scheduled February 2011.
- Unit 201: noncompliance as result of Official Notices, cases referred to City Attorney's office for prosecution. Case settled, set for review in spring of 2011 to check for final compliance.
- Unit 301: noncompliance as result of Official Notices, cases referred to City Attorney's office for prosecution. Case settled, set for review in spring of 2011 to check for final compliance.
- Basement unit:
 - Dwelling occupied No Certificate of Occupancy.
 - No permit for HVAC system installed.
 - Exiting problems. Not proper platforms in front of egress window.
 - Mechanical room has no fire wall, needs 1-hour rated wall.
 - Most of rooms in apartment have no heat source, only bedroom and bathroom have radiators.
 - Gas space heating unit illegally/improperly installed, no permit.
 - Unit has been posed "no occupancy" as of January 14th 2011.
 - Final inspections not completed for new construction permit.
 - Citation issued 1/21/11 failure to have Certificate of Occupancy for dwelling.
 - Citation issued 1/24/11 failure to maintain temperature of 67°F.
 - Citation issued 1/28/11 failure to have Certificate of Occupancy for dwelling, second offence.
 - Citation issued 1/28/11 failure to maintain temperature of 67°F, second offence.

432 W. Dayton Street, PUD rezoning, approved May 4th 2010.

Approval of a request to rezone 430 W. Dayton Street from Planned Unit Development-Specific Implementation Plan (PUD-SIP) to Amended Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow the demolition of an existing single-family residence at the rear of the lot and construction of an accessory building with a dwelling unit. (Note: Zoning ordinance was amended 4/2/09 to allow for accessory building to be built, which may include dwelling units)

7/15/2010 Footing/foundation permit issued to construct building.
7/16/2010 Building permit issued to construct building.

Construction update and current status:

- Building was being occupied before C/O has been issued, or construction inspected, was posted "no occupancy" prior to 12/8/2010.
- Accessory use common space not completed to date.
- Citation issued 9/9/10 failure to have final electrical inspection.
- Citation issued 9/9/10 failure to have C/O for dwelling.
- Junk/trash/debris case, regarding overflowing trash cans, loose debris on property during phases of construction.
- Building construction approved for C/O 12/8/2010, construction-relates issues resolved, Fire inspections not completed, C/O not issued. A list of exterior items have yet to be completed, but do not prevent C/O from being issued.

115 S. Bassett Street, Building permit issued to replace foundation at R6 Zoned property.

As part of the zoning review for foundation replacement permit, Mr. Cook was advised not to change the existing bulk characteristics of the existing structure as part of the foundation replacement permit request. This regulation was specifically explained to Mr. Cook when staff became aware that that a dwelling was to be proposed within the new basement area, which usually would involve an increase to the height of the structure to create required headroom. The statement **“NO CHANGES TO LOCATION, ELEVATION, FOOT PRINT OR FLOOR PLAN”** was applied to the building permit to ensure the owner was provided with the clear direction that the height of the structure would not change as the result of the foundation replacement. Subsequent inspection discovered foundation was replaced at a taller height, and work had begun on framing for new basement unit, without building permits or zoning approval.

On order to keep the taller foundation, a variance was necessary. This variance request denied July 13th 2009.

Following denial of variances, PUD rezoning was requested to accommodate the noncompliant foundation height. PUD application also requested to create an additional dwelling unit in the building.

115-117 S. Bassett Street, PUD rezoning, approved January 5th 2010.

Approval to rezone 115 and 117 South Bassett Street from R6 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) to allow additions and renovations to an existing single-family residence and a three-unit residence. PUD application included request to create additional dwelling units in two buildings, and to allow for exterior alterations. (Note: requested third building to rear of site was not approved)

- 6/16/2010 115 S. Basset Street, permit issued to construct additional dwelling unit in building.
- 8/27/2010 117 S. Basset Street, permit issued to construct additional dwelling unit in building, and stair addition.

Construction update and current status:

General site

- Occupancy in both building prior to approval of a C/O.
- Stormwater management. The measures constructed to address water collection and discharge from the center stairwell between the buildings were not built per the approved plan. The non-approved construction has created a water flow discharge onto an adjacent property, which is not in compliance with modifications to the plan, including possible requirement to connect to the Municipal storm Sewer, as adequate infiltration is no longer being provided.
- Street occupancy. The owner proceeded to utilize the City right-of-way for construction staging and materials storage without first obtaining a street occupancy permit. After the issuance of two municipal citations, a street occupancy permit was obtained.
- Open case regarding trash cans in right-of-way of traffic, ongoing enforcement.
- Most life-safety issues resolved for dwelling spaces, other items unfinished, such as exteriors of buildings not completed.
- Parks fees have not been paid for this project yet. The C/O for 115 S. Basset Street is being withheld pending the payment of parks fees.

115 S Bassett Street:

- Citation issued 3/22/2010, Junk/Trash/Debris.
- Citation issued 3/22/2010, trash/recycle bins at curb more than 24 hours.
- Citation issued 9/9/10 failure to have C/O for dwelling.
- Citation issued 9/9/10 Public right-of-way use without permit.
- Basement unit was observed being occupied. Municipal Citation issued 9-21-10, failure to obtain a C/O. Construction-relates issues resolved, other mechanical inspections not completed, C/O not issued. A list of exterior items have yet to be completed, but do not prevent C/O from being issued.
- Building inspectors have a number of open cases for various issues at this property, and C/O has not been issued. C/O will be held until unpaid parks fees issue has been resolved.

117 S Bassett Street:

- Complaint received that building was being occupied while under construction. Building was elevated as basement was being reconstructed, tenant was observed occupying one of the upper dwelling units.
- Citation issued 12/11/2009, Junk/Trash/Debris.
- Citation issued 3/22/2010, Junk/Trash/Debris.
- Citation issued 9/9/10 Public Right-of-way use without permit.
- Citation issued 9/16/10, continuing to allow tent to live in dwelling posted "no occupancy." NOTE: Posted "no occupancy" as of 7/7/2010.
- Citation issued 9/21/10, continuing to allow occupants to live in dwelling posted "no occupancy."
- C/O issued 11/8/2010 for New Construction. A list of exterior items have yet to be completed, but did not prevent C/O from being issued.

C: Ald. Mike Verveer
Mr. Brandon Cook

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REVISED

CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE

Date: February 7, 2011

To: Planning Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: **115 & 117 South Bassett St.**

Present Zoning District: PUD (SIP)

Proposed Use: Construct a four-unit apartment building in rear yard.

Requested Zoning District: Amended PUD(SIP)

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. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of one van accessible stall striped per State requirements. This stall shall be as near the elevator as possible.
 - b. Show signage at the head of the stall.
 - c. Show the accessible path from the stall to the entry.
2. Bike parking shall comply with City of Madison General Ordinances Section 28.11(3)(l) Provide twelve (33) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. **NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. It appears that 3 of the bike stalls along the SE side of property do not provide the 5 foot clear access.**
3. Dumpsters shall comply with City of Madison General Ordinances Section 28.08(7)(j). Provide a detail drawing for the proposed dumpster enclosure, including materials for the screening fence and gate.
4. Lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).

5. Meet applicable State building codes and building code setbacks.
6. Provide one 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. **If this loading area cannot be provided, request and obtain approval of the Plan Commission to specifically waive this requirement or it will need to be provided.** (28.07 Special Districts P.C. waiver.)
7. Provide detail and call out useable open space on final site plan.



R-6 ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	7,950 sq. ft.	8,749 sq. ft. existing
Lot width	50'	66.1'
Usable open space	2,310 sq. ft.	942 sq. ft. (7)
Front yard	20'	11'
Side yards	6' RS / 5' LS	5'1" LS / 9' 2" RS
Rear yard	30'	5'2" *
Floor area ratio	2.0	1.4

Site Design	Required	Proposed
Number parking stalls	18	2
Accessible stalls	1	1 (1)
Loading	1	None shown (6)
Number bike parking stalls	33	30 outside (2)
Landscaping	Yes	As shown
Lighting	Yes	Yes (4)

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	Yes
Adjacent to park	No
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 a amended (PUD) (SIP) district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the R-6 district, because of the surrounding land uses.

Firchow, Kevin

From: Brandon Cook [brandon@johnfontain.com]
Sent: Thursday, February 03, 2011 6:20 PM
To: Firchow, Kevin; aro@aroeberle.com; Tucker, Matthew; Murphy, Brad
Subject: Plan Commission Meeting

Hello All,

Thanks for taking the time to meet with Matt Aro and I today.

I agree with your recommendation that my development at 115/117 S Bassett should be placed on file without prejudice. If there is anything else you need from me please let me know, otherwise I will not plan on attending next Mondays Plan Commission Meeting.

Thanks Again,

Brandon