

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
June 6, 2005

RE: I.D. # 01143: Zoning Map Amendment I.D. 3099 To Rezone 437 And 441 W. Mifflin Street from R6 (General Residence District) to PUD-GDP-SIP

1. Requested Actions: Approval of a request to rezone 437 and 441 W. Mifflin Street from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 23-unit apartment building upon demolition of two existing two-unit residences.
2. Applicable Regulations: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments; Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits.
3. Report Drafted By: Timothy M. Parks, Planner, and other Planning Unit staff.

GENERAL INFORMATION

1. Applicant & Property owner: Frank Staniszewski, Madison Development Corporation (MDC); 550 W. Washington Avenue; Madison, Wisconsin 53703.
2. Development Schedule: The applicants wish to commence construction in August 2005.
3. Location: Approximately 0.25 acres located at 437 & 441 W. Mifflin Street, Aldermanic District 4; Madison Metropolitan School District.
4. Existing Conditions: Two two-unit residences, zoned R6 (General Residence District).
5. Proposed Land Use: One 23-unit apartment building with underground parking.
6. Surrounding Land Use and Zoning:
North: Two to four-unit apartment buildings, Ambassador West Apartments, zoned R6 (General Residence District);
South: Two to four-unit apartment buildings and Keller-Williams Real Estate offices on the north side of the 400-block of W. Washington Avenue, zoned R6 (General Residence District);
W&E: Two to four-unit apartment buildings, zoned R6.
7. Adopted Land Use Plan: This area is identified as "Residential, Medium to High Density –

Mixed Unit District” according to the 1988 Land Use Plan. The plan acknowledged that, while the W. Mifflin Street area is relatively dense, it is not as dense as would be permitted under the R6 zoning of the neighborhood. The Land Use Plan encouraged medium-high densities for new development over the higher density development allowed under the zoning with an opportunity for selective infill construction compatible with surrounding structures. The plan also acknowledged a need for additional park facilities in this area of the downtown.

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 demolition standards of Section 28.04 (22) and the Planned Unit Development District standards.

SUMMARY OVERVIEW AND RECOMMENDATION

This is a proposal to demolish two adjoining existing houses on the south side of the 400 block of West Mifflin Street and build a new 23-unit apartment building on the combined sites. The applicant has also requested that the property be rezoned from the R6 zoning district to PUD-GDP-SIP to accommodate the proposed project. This block of Mifflin Street (and much of the 500 block) is presently characterized predominantly by two-story and two-and-one-half story houses on individual lots with driveways (sometimes shared) between the buildings and parking in the rear yards. Over the last 30 to 40 years, these houses have been converted to multi-family use and currently are primarily rented as student housing. Immediately across W. Mifflin Street from the subject property is the Ambassador West, a three-story 80-unit apartment building with parking in front that was developed under the misguided “zero lot line” construction allowed in the late 1970s. Except for the Ambassador West, and the Mifflin Street Art Center/ Planned Parenthood building located close to Broom Street, the entire block has very similar building types, massing, and design.

The proposed project is a four-story building covering the two lots and extending to within four feet of side lot lines as measured from the raised basement level. The basement level is a partially underground parking garage that extends deeper into the rear yard and creates a raised terrace along the backside of the building. The upper floors of the building are set in about six feet from the basement wall along the sides, creating a six-foot wide terrace along the side elevations above the garage. The garage is accessed by a driveway extending from the street down to double garage doors that are located in the center of the front facade of the building. Because of the need

for overhead clearance into the garage, the first story of the structure is virtually windowless in this portion of the front. The very large building has a complex design, with multiple gables, several small porches, both lap siding and shingles on the front facade, and other details intended to reflect some of the design details of the surrounding houses. Small porches appended to the front facade are similarly intended to reflect the large, often multi-story, porches that characterize other buildings along these blocks of W. Mifflin Street, although the subject porches are only accessible from the immediately adjacent unit.

The project is being proposed by the Madison Development Corporation with the specific purpose of providing more affordable housing options in this part of the downtown.

Although the Planning Unit strongly supports the goal of creating additional housing options in the downtown area, we consider the design of this proposed project to be seriously wrong for the site, and cannot find that the standards for approval of a Planned Unit Development have been met. The size, massing and basic style of the proposed building are both awkward in their own right and completely out of context with the current predominant character of this block of W. Mifflin Street, and there are no adopted City plans in place which recommend substantial changes to that character. The only adopted plan for this area is the 1988 Madison Land Use Plan which recommends building densities even below the R6 theoretical maximum – partly in response to “zero lot line” projects such as the Ambassador West, which was constructed just prior to when this plan was first adopted. The proposed 23-unit building is significantly wider, deeper, and taller than the other housing along the street. Building coverage is 67 percent of the site, compared to an average of about 30 percent for the balance of the block. The two-lot width of the building disrupts the rhythm of building spacing established by the individual houses on separate lots that characterize most of the rest of the street (except for the Ambassador West).

One of the more disruptive elements of the proposed development is the garage entrance on the front of the building and the sloped driveway leading down to it. While a skillfully-drawn rendering from just the right angle may make the visual impact of this feature seem limited, the actual appearance to persons walking along the sidewalk will be much more obvious. Despite the corner porches, the driveway and garage doors will be one of the predominant views from the street. Currently, all parking areas for the houses along W. Mifflin Street are at the rear of the buildings, and no building on the street has a garage entrance on the front facade. To introduce such prominent garage doors into the middle of a block of houses with side driveways and rear yard parking would significantly change the character of a street that currently is very much oriented to pedestrians, rather than automobiles.

Because the only applicable plan for the area is now more than 15 years old, it may be suggested that the plan is out of date, and that the reasonable expected future of the “Miffland” area is redevelopment to higher density and replacement of the current housing with new construction. It is certainly possible that an updated plan for the area might recommend an evolution to higher

density, similar to what was recommended in the 1998 Bassett Neighborhood Plan for the area south of W. Washington Avenue, for example. But without an updated plan, there is no reason to assume that would be the recommendation for the W. Mifflin Street area. Other alternatives, such as a conservation district to encourage renovation and restoration of the existing housing stock, are also possible recommendations.

But even if there were an adopted plan that recommended that W. Mifflin Street eventually be redeveloped with different uses or higher-density residential uses, the design of the proposed building would be an unfortunate way to start the transition. Placing a building with 67 percent lot coverage virtually lot line to lot line on two lots in middle of the block would set the stage for similar uncoordinated development as each property owner sought to maximize the density on the individual properties they happened to own. The sheer size and placement of this building and the front loaded garage and driveway would severely limit the potential for future redevelopment of this area (should that be the recommendation in an adopted plan) with coordinated construction, shared access and shared parking with other properties on the block.

The proposed design of this building would also set a poor precedent for substantial redevelopment of the area to higher densities in the future. The pseudo- house design elements of the proposed project are an attempt to "fit in" with surrounding houses that are significantly smaller than the proposed structure. The Planning Unit does not consider this attempt particularly successful, but if the eventual plan for this area were to have substantial redevelopment, then this "giant house" building form would be much less appropriate for a higher-density future than alternative, more "urban" designs that would create a new context for the changed neighborhood. As noted above, a changed, higher-density context should also be carefully planned and coordinated to maximize use of shared parking, compatible scale and massing of new buildings, maintain a pedestrian orientation, and create an engaging streetscape.

Because the size, mass and design of the proposed building is not consistent with any adopted plan for the area, is not compatible with the existing predominant character of W. Mifflin Street, and would be an inappropriate design model for a future, more-intensive, more-urban redevelopment that might be recommended as part of a future plan for the area, the Planning Unit concludes that this proposed project does not meet the standard and criteria for approval of a Planned Unit Development. In particular, the proposed project does not satisfy the standard that the development "is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design." In addition, the proposed project does not meet the specific criteria 1.a. and 1.b.,

- "1. In a planned unit development district, the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:
 - a. Are compatible with the physical nature of the site or area.
 - b. Would produce an attractive environment of sustained aesthetic desirability,

economic stability and functional practicality compatible with the general development plan.”

Because the proposed project cannot meet the standard and criteria for approval of Planned Unit Developments, the Planning Unit recommends that the proposed rezoning of 437 and 431 West Mifflin Street be rejected.

Because the proposed reuse of the properties for construction of a new 23-unit apartment building is recommended for rejection, the Planning Unit recommends that the application for demolition of the two houses currently existing at 437 and 441 W. Mifflin Street also be denied, based on a determination that the that proposed demolition and proposed use of the subject property would have a detrimental effect of the normal and orderly development and improvement of surrounding properties.

A more detailed analysis of the proposed demolition and planned unit development is provided below.

ANALYSIS AND EVALUATION

The applicants are requesting approval to demolish two two-unit residences located at 437 and 441 W. Mifflin Street to allow development of a 23-unit apartment building on a 66-foot wide combined parcel that would be rezoned PUD-GDP-SIP to accommodate the proposed project. Each property is developed with a two-story two-flat with surface parking in the rear yard. A common driveway extending between the two residences provides access to the rear parking areas.

Project Site and Surrounding Uses

The site is located in the 400 block of West Mifflin Street, between Bedford and Broom Streets, in an area that predominantly consists of student-oriented multi-family housing. Other properties on the south side of 400-block are similar in character to the existing buildings on the subject site, with a mix of two, three and four-unit dwellings in converted frame residences served by rear surface parking areas. Opposite the subject property across W. Mifflin Street is the Ambassador West, three-story, 80-unit apartment building, developed in the 1970s, but the remainder of this block is developed similarly to the subject site, with the exception of the Mifflin Street Art Center/ Planned Parenthood building located close to Broom Street. Comparable two to four-unit residential uses also exist along most of the north side of the 400-block of West Washington Avenue behind the subject site.

Condition of Buildings Proposed for Demolition

The applicant indicates that both buildings are candidates for demolition, noting that the two-flat at 437 is in "serviceable condition but is past its useful life," while the building at 441 is unsound, having been damaged in a small basement fire. The applicant also notes that both buildings were identified in the blight study that accompanied the creation of Tax Increment Financing District #28 as underutilized and blighted. The Planning Unit has not toured either building, but did conduct a windshield survey. While staff does not have any information that would lead to a different conclusion about the condition of the buildings, staff would suggest that the exterior conditions of the two buildings do not appear to be substantially different from other similar two to four-unit buildings on the block.

The applicant has submitted a detailed reuse and recycling plan with their demolition application that must be approved by the City's Recycling Coordinator prior to the issuance of a wrecking permit should the Commission approve the proposed demolition.

Project Description

The applicants propose to erect a four-story, 23-unit apartment building in place of the two demolished two-flats. The building will contain fifteen one-bedroom apartments and eight two-bedroom apartments with parking for 16 vehicles to be provided in a basement garage. A driveway located about midway across the front facade will lead down to the garage, which will also include parking for an undisclosed number of bicycles, tenant storage and a trash enclosure near the rear of the garage. No surface parking is proposed, though the applicant is requesting four residential parking permits as an incentive with their Inclusionary Dwelling Unit Plan (see below).

The four-story building will be constructed as a stick-built wood frame structure atop the concrete basement, and will be faced primarily with fiber cement siding. The exterior of the exposed basement walls will be stamped and stained to reflect a stone wall motif. The front elevation along W. Mifflin Street is designed to evoke a townhouse exterior on the lower three floors, with a first floor entrance located on each side of the central basement garage entrance, second and third floor room bays and balconies projecting outward from the main western building wall. The front wall of the fourth floor of the building is set back ten feet from the front wall of the lower three floors to reduce the massing of the building at the street to give the appearance of a building of similar stature with other buildings along W. Mifflin Street. The north and south side walls will include multiple columns of bay windows added to provide visual relief along the long walls of the building. The building employs a multi-tiered cross gable roof design, with gable roofs atop each townhouse-esque bay, the fourth floor façade, and all side bay window columns. The main building roof drops in the center into a flat area that will be enclosed

with a decorative railing. No access to the roof from the building interior is shown on the roof plan.

The plans indicate that the proposed apartment building will occupy two-thirds of the 10,890 square feet of lot area. The front wall of the building will be located between 14 and 20 feet from the W. Mifflin Street property line, with covered six-foot deep porches adjacent to both building entrances that reduce the front yard to 8 to 14 feet. While an approximately 17.67 foot setback is provided from the wall nearest the rear property line, side yards for the building are approximately four feet when measured from the outside of the basement walls. The applicant is proposing to construct approximately six-foot deep terraces along both the north and south side walls above the basement garage, thereby reducing somewhat the imposition of the building on the adjoining residential properties. Most of the yard space that will be provided will be lawn, with a mix of deciduous and evergreen shrubs and perennials proposed along the base of the rear wall of the building and in front of the two front porches.

Inclusionary Zoning

The applicant has submitted an Inclusionary Dwelling Unit Plan (IDUP) indicating intent to meet the inclusionary zoning provisions of the Zoning Ordinance, though the underlying nature of the overall project is to provide affordable housing in the downtown area. Of the 23 units proposed in this development, nine of the units will be available to families earning 50% of the area median income (AMI) and six of the units will be available to families earning 60% of the AMI. The remaining units will be available at market rate rents. Of the fifteen units that will be affordable to families at 50 to 60% of the AMI, four will be designated by the developer as inclusionary dwelling units to meet the requirement that 15% of the total number of units be available to meet the inclusionary zoning provisions of the Zoning Ordinance. Three of the four units will be 60% units and one will be a 50% unit. The four units equal the minimum number of units (3.45) required by ordinance for this project. The IZ units are equally split between one and two-bedroom units and will be located one per floor through the four-story project. The variety of units reflects the breakdown of market rate units, which will be split equally between one and two-bedroom units at four apiece. Staff anticipates that dispersion should be easily accomplished given the ratio of both IZ and non-IZ affordable units in the project versus the number of market rate units.

The applicant indicates that the project has earned seven incentive points as a result of the overall affordability of the project, though the number of points is actually two because only four of the units are specifically designated as IZ units. Staff believes that the incentive program, as with other ordinance provisions, pertains to the units being set aside to comply with inclusionary zoning.

The applicant is requesting a density bonus as well as the abovementioned residential parking

permits as incentives with this project. The density of the proposed apartment development is 92 dwelling units per acre. The benchmark density for consideration of a density bonus is based on the existing zoning, or R6 in this case, which has a benchmark of 72.6 units per acre (which equals the number of two-bedroom units that could be developed on one acre of land). The Zoning Ordinance provides a minimum of a ten percent bonus per incentive point (up to three points) for any project, unless a project contains four or more stories and provides at least 75 percent of its parking underground. In that case, a density bonus of twenty percent per point is allowed. Because the proposed building contains four stories and proposes all of its parking underground, the twenty percent bonus applies. Using one incentive point, the project would be permitted a density of 87 units per acre; using two incentive points, the project would be allowed a density of 101 units per acre. At 92 dwelling units per acre, two incentive points would be used. If the Commission determines that the applicant has only two incentive points, and should the project be approved, staff would not object to the granting of a residential parking permit for each designated IZ dwelling unit, or four permits in this case.

The applicant is also receiving financial assistance through the City (see attached report from the Community Development Block Grant (CDBG) Office).

Issues for Review

The Planning Unit has a number of concerns regarding the proposed project, including the massing of the proposed building, the lack of open space provided, the design and appearance of the building and the precedent approval of this project may set in the four-block area extending from W. Washington Avenue to W. Dayton Street from Broom Street to Bedford Street.

Building Mass and Scale

On the first issue, staff is concerned with the overall massing of this structure as it relates to most of the other existing buildings on this block. This proposed project represents a significant increase in intensity compared to most of the existing buildings in the West Mifflin Street area. The proposed building is four stories in height, occupies two adjacent lots, extending to within four to ten feet of the side lot lines, and covers about 67 percent of the total lot area. The surrounding W. Mifflin Street area is predominantly characterized by student-oriented two to four-unit rental properties in converted two and two and one-half story houses on separate lots. (Exceptions include the 80-unit Ambassador West apartment across the street from the site and the Mifflin Street Art Center/ Planned Parenthood building closer to Broom Street, but these should be considered historical anomalies and not suggestive of a recommended future development pattern for the surrounding area.) The average building coverage on both sides of the street is considerably less than the building coverage proposed in this development, and as noted above, the remainder of the block has building coverages ranging from 11.8 to 53.6 percent

of the lot, with an average coverage of about 30 percent. Similar building coverage exists on the north side of West Washington Avenue abutting the rear of the site.

Open Space

The proposed development also provides little open space in an area of the City where the lack of community open spaces was specifically identified in the 1988 Land Use Plan. Much of the open space for the residents of the proposed apartment building will be provided on the two six-foot deep terraces located on the first floor above the partially exposed basement garage. Given the high building coverage, green space on the site is very limited, and the recreational capacity of the green space provided is questionable. Although the total impervious surface coverage for this development is more-similar to rest of the block where parking areas are located in many rear yards, buildings on most of the rest of the block still have a higher percentage of rear yard space even if some of that yard space used for automobile parking. The Planning Unit would be very concerned with the depletion of the usable open space in the block if other properties redevelop in the same manner as the subject site – particularly if this depletion of open space occurred at the same time as residential densities were increasing significantly.

Building Design

In addition to the much greater height, scale and massing of the proposed development, staff also that the architecture of the proposed apartment building is out character with many of the buildings in the surrounding area. Most of the buildings in the area are two to four-unit converted residences characterized by long, slender buildings that include Tudor and Victorian design influences. Many of these buildings include front porches and/or balconies, and almost all of the buildings are located within 10-15 feet of the front property line, resulting in a strong, pedestrian-oriented street presence. Although the project attempts to cull some of the Victorian influences in the neighborhood by including multiple roof gables and a limited number of small front porches and balconies, the design of the proposed project doesn't fit in very well with the existing building types. In addition to being much larger than its neighbors the building is poorly oriented to the street.

Of particular concern is the two-way driveway on the front facade leading to the underground parking. Staff believes that the fronting garage entrance and driveway create an inappropriate first floor façade in a neighborhood where buildings are characterized by strong relationships to the street and parking is relegated to the rear of buildings. Even if it is assumed that a future neighborhood plan might recommend that this area eventually be redeveloped with higher densities (and there is currently no plan that recommends this), staff feels that the building would set a poor architectural precedent for future redevelopment projects in this older neighborhood. A future neighborhood characterized by buildings with garage doors and driveways on the front facades is not something that would be consistent with City planning and design

recommendations. Staff believes a more urban building form may better serve the site unique from the architectural styles present through much of the area while respecting the mass present on surrounding properties.

Precedent for Additional Redevelopment in the Area

Staff also believes that the building would set a poor architectural precedent for future redevelopment projects in this older neighborhood. The proposed project is not a development type that, if replicated on other sites as additional redevelopment occurs in the future, would allow for creative and coordinated development of multiple parcels or result in an engaging neighborhood streetscape that creates a cohesive and attractive residential environment.

The proposed design of the building, by covering its entire building lot (comprised of two existing lots) would also begin to preclude, or at least make more difficult, consideration of alternative approaches to dealing with parking, such as parking located or entered at the rear of the buildings and accessed by shared driveways that served several developments. If other future buildings follow the same general form as the proposed project, the constraint on parking choices could be compounded, and conversion of W. Mifflin Street from a pedestrian-oriented streetscape to an automobile-oriented streetscape.

Consistency with Adopted Plans

There is at present, no adopted plan for this area that suggests or recommends that a development pattern like that being proposed for the subject site should be allowed or would be desirable. To the contrary, the 1988 Land Use Plan advocates new development that is less dense than the high densities permitted in the current R6 District zoning. While the Madison Land Use Plan is more than 15 years old, there are no more-recent City plans for the W. Mifflin Street area which indicate support for the higher densities proposed by this development, which are approximately 27 percent greater than the baseline density allowed in the underlying R6 zoning district. While the generalized future land use recommendations for this area included in the forthcoming Comprehensive Plan might broadly support consideration of higher densities in this portion of the downtown area, the Comprehensive Plan also recommends that specific recommended densities for individual blocks or properties need to be established in a detailed, City-adopted neighborhood plan or special area plan, such as the plan adopted for the Bassett Neighborhood south of West Washington Avenue. These plans also need to be prepared prior to any substantial changes in land use and density, and would be expected to include recommendations for land uses, density, urban design, density, circulation, and provision of open space. As noted in the overview at the beginning of this report, there are alternative recommendations for this segment of W. Mifflin Street that might result from such a detailed planning process.

CONCLUSION

The Planning Unit concludes that the size, scale, mass, height and architectural design of the proposed apartment building would be incompatible with the established context of the surrounding uses along this segment of W. Mifflin Street. Currently, there is no adopted City plan which indicates that substantial changes to the existing context are recommended, but even if increased development intensities were to be recommended in a future adopted plan, the Planning Unit believes that the proposed project would provide an inappropriate precedent for future redevelopment of other properties along W. Mifflin Street. For these reasons, which are described more thoroughly above, the Planning Unit concludes that the proposed project cannot meet the standard and criteria for approval for planned unit developments, and in particular that the project be "compatible with the physical nature of the site or area," or that the project "produce an attractive environment of sustained aesthetic desirability."

Although the Planning Unit appreciates the applicant's intent to develop a mixed-income residential project with a 2 to 1 ratio of affordable dwelling units to market rate units in the downtown area, the Planning Unit cannot support a development with so many potential negative impacts on the neighborhood, and is recommending that the Plan Commission reject this project.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission forward Zoning Map Amendment 3099, rezoning 437 and 441 W. Mifflin Street from R6 General Residence District to PUD-GDP-SIP (Planned Unit Development, General Development Plan/ Specific Implementation Plan) to the Common Council with a recommendation to **reject**. Any demolition of the two existing residences should be conditioned upon the approval of the planned unit development. Should the Plan Commission elect to recommend approval of this project, staff recommends that the approval be subject to input at the public hearing and comments from reviewing agencies.



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. Dailey, 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: May 24, 2005
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer *[Signature]*
SUBJECT: 437-441 West Mifflin Street PUD (GDP/SIP)

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 applicant shall verify that vehicles entering the proposed driveway will not bottom out on the sidewalk.
2. There is an existing storm box roughly located under the curb in front of this development. The applicant shall show this utility, and how the proposed connection shall be made.
3. The applicant shall use a sump pump (and shall show it) to drain the driveway drain. Provide entrance grades and a detailed cross section of the driveway/parking entrance.
4. The applicant shall connect roof drains to the storm sewer.

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: 437-441 West Mifflin Street PUD (GDP/SIP)

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.

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- 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 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.

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.
- 4.5 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.6 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.
- 4.7 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
- 4.8 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.
- 4.9 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.
- 4.10 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.
- 4.11 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.
- 4.12 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.
- 4.13 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats 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.)

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

- 4.14 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 dedicate 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.

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 to connection to the public sewerage system.
- 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.

8



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: 5/24/05
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **437 – 441 W. Mifflin 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. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure. With on-street parking the north edge will be over 30' to fire lane.
 - b. Provide a fire lane that extends to within 150-feet of all exterior portions of the 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. Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - c. 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 John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

8



Traffic Engineering Division

David C. Dryer, City Traffic Engineer

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608/266-4761
TTY 608/267-9623
FAX 608/267-1158

May 27, 2005

TO: Plan Commission

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

SUBJECT: **437 to 441 West Mifflin Street – Rezoning – R6 to PUD (GDP-SIP) – Four (4) Story Building-23 Unit Apartment Building**

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. The City-County radio systems (911, etc.) managed by the City use microwave directional paths to remote towers countywide. If a building's location and height impact these paths, the development may be required to make accommodations for the radio systems. Exact elevation plans will need to be reviewed by the Traffic Engineer to determine any impacts and accommodations. The applicant will need to submit grade and elevations plans prior to sign-off to be so they can be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. Based on our consultations with the Attorney's office, any costs would be developer related costs.
2. A condition of approval shall be that no residential parking permits will be issued for 437 West Mifflin 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 437 West Mifflin 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.

GENERAL OR STANDARD REVIEW COMMENTS

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

3. 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'.

4. The driveway from the garage door to the street right-of-way shall be modified to provide for two-way operations at a minimum width of eighteen (18) feet in accordance M.G.O. 10.08(6)(a) 4.
5. The proposed location of the trash enclosure would require a single unit truck to back onto the site to load and unload (or it will require the single unit to back onto the right of way for operation of the site). In either case, the single unit truck will need to park on-site for loading and unloading not blocking the public sidewalk.

The applicant shall note that Madison General Ordinance 10.08(a) 6 requires all facilities to have adequate internal circulation in which no backing movement, except that required to leave a parking stall, is allowed. All parking facilities shall be designed so as not to utilize any portion of the public right-of-way except to permit ingress and egress in a forward manner: unless permitted by the Board of Public Works after the Board receives the recommendation of the City Traffic Engineer. This condition shall be approved prior to plans being submitted for approval, contact City Traffic Engineering for detail. Traffic Engineering staff will require a formal letter requesting the right to back off the street, (type of vehicles, reasons, hours of operation of the truck, etc.) and the applicant shall provide a 1"=20' scale drawing and a drawing on a 8" by 11" sheet showing parking, parking stalls, pavement markings, type of truck turning and both sides of the street. Traffic Engineering staff will prepare a report to Board of Public Works to review and take action.

6. 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.
7. The applicant shall design the underground parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The "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. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
8. The Developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
9. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

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

Contact Person: Frank Staniszewski
Fax: 608- 256-1560
Email: fstan@mdcorp.org

DCD:DJM:dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: May 1, 2005

To: Bill Roberts, Planner III
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 437-441 W Mifflin St

Present Zoning District: R-6

Proposed Use: Demo 2 residential buildings and build a 4 story 23 unit apartment bldg.
(8 two bedroom units and 15 one bedroom units)

Requested Zoning District: PUD(GDP-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).

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide 23 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. (Approximately 14 stalls will fit in the designated bike parking area shown in the parking garage).
2. Meet applicable State building and State setback requirements. Contact the building permit staff regarding these requirements.
3. Show dimensions of the building and property lines and show setbacks from the building to the property line.
4. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of one accessible stalls striped per State requirements. The stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent. The striped out area shall be unobstructed the entire length of the stall.
 - b. Show signage at the head of the stall.
5. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit to Zoning, a copy of the approved plan for recording prior to zoning sign off of the plat.

437-441 W Mifflin St.

May 1, 2005

Page 2

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	12,600 sq. ft.	10,890 sq. ft. *
Lot width	50'	66'
Usable open space	2,170 sq. ft.	1,655 sq. ft. *
Front yard	20'	7.5' *
Side yards	19.375'	1' & 4' *
Rear yard	30'	23'*
Floor area ratio	2.0	2.026 *
Building height		

Site Design	Required	Proposed
Number parking stalls	0 (Central business distr)	15
Accessible stalls	1	(4)
Loading	1 (10' x 35')	Provided in drive aisle
Number bike parking stalls	23	(1)
Landscaping	As shown	adequate
Lighting	n/a	n/a

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
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 the **PUD** 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.



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266 4747
FAX 608 266-8739
PH 608 266-4635

March 2, 2005

Mr. Victor Villacrez
Madison Development Corporation
550 West Washington Avenue
Madison, WI 53703

RE: 437-441 West Mifflin Street

Dear Victor,

The Planning Unit staff has reviewed Madison Development Corporation's plans to construct a new 23-unit building at 437 West Mifflin Street. Although we appreciate your efforts in working with the neighborhood to provide affordable housing, staff has raised several significant concerns that I want to share with you.

We are concerned with the overall massing of this structure in comparison to the existing buildings on this block. This proposed project represents a significant increase in intensity compared to most of the existing buildings in the West Mifflin Street portion of the Bassett neighborhood, which is predominantly characterized by single-family, two-flat and three-flat houses presently used mostly as student-oriented rental property. In staff's opinion, the design of your proposed project doesn't fit in very well with the existing building types nor does it represent an attractive prototype for future redevelopment projects in this older neighborhood. The height, scale and mass of the building are so much greater than the surrounding buildings that we believe good design might be better-served by a more-urban style building form. Although the site plan is not dimensioned, there is virtually no setback between the back of the wall of the parking structure and the rear property line. The concern is with the depletion of the open space in the block if other properties redevelop in this same manner. There is no adopted plan for this area that suggests or recommends that such a development pattern should be allowed or would be desirable.

We also believe that the proposed project is not a development type that, if replicated on other sites as additional redevelopment occurs in the future, will allow for creative and coordinated development of multiple parcels or result in an engaging neighborhood streetscape that hangs together as an attractive residential environment. Of particular concern in this regard is the double driveway on the front facade leading down to under-building parking, and the raised deck above the not-quite-underground parking which covers virtually the entire lot except for the front building setback. Staff believe that the fronting garage entrance and driveway would be an inappropriate introduction into a neighborhood where buildings are currently characterized by strong relationships to the street and with parking relegated to the rear of the buildings. A future neighborhood characterized by buildings with garage doors,

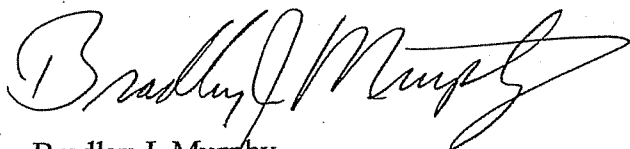
driveways (and the inevitable parking aprons) on the front facades is not something that would be consistent with City planning and design recommendations.

The proposed design of the building, by covering its entire building lot (comprised of two existing lots) would also begin to preclude, or at least make more difficult, consideration of alternative approaches to dealing with parking, such as parking located or entered at the rear of the buildings and accessed by shared driveways that served several developments. If other future buildings took the same general form as the proposed project, this constraint on parking choices would be compounded, and conversion of Mifflin Street from a pedestrian-oriented to an automobile-oriented streetscape might become inevitable as additional driveways and front garage entrances were approved.

Within the context of the project as currently proposed, staff have also identified a number of concerns with design details, including the somewhat random pattern of some design elements, the nearly blank side elevations, and what appears to be an awkward arrangement of roof planes, porches, balconies and windows. Overall, the design of the front facade appears to be symmetrical, but it isn't and translates into an awkward arrangement of roof planes, porches/balconies, and windows. One suggestion is to either make it symmetrical or clearly asymmetrical, perhaps by having one of the building bays be noticeably larger than the other. Although we assumed it was a drafting oversight, it was noticed that there is no access to the front balconies. While the current proposed building might be improved by design tweaks, I want to emphasize that staff believe that the basic approach to the project should be entirely reconsidered, including particularly the placement and access to parking and general architectural style. This reconsideration should carefully consider the cumulative impact of successive additional redevelopment projects on other properties in the area and seek to develop a coordinated building style and urban character for a future residential environment which takes advantages of opportunities for shared amenities and will be as successful as the current physical plant was in creating an engaging and visually attractive neighborhood. I am confident that if the effort is made, an alternative design that is much more in keeping with Madison's neighborhood planning and design objectives can be developed.

Again, the purpose of this letter is to note concerns raised by staff in hopes that they can be addressed prior to an application being submitted for formal approval. We would be happy to meet with you to discuss these matters further.

Sincerely,



Bradley J. Murphy
Planning Unit Director

March 23, 2005



Copies for mww
WAF
AJM
+ return

Mr. Brad Murphy
Planning Unit Director
City of Madison
P.O. Box 2985
Madison, WI 53701-2985

Dear Brad:

I wish to respond to your letter of March 2, 2005, regarding the proposed MDC redevelopment project at 437-441 W. Mifflin St. Your letter raised several concerns regarding the proposed design of our planned 23 unit apartment building. We are proposing some changes which I feel may alleviate several of these concerns, however due to site constraints and the direction we have received after a long neighborhood process, these changes do not alter our basic design approach. I would like to point out the reasons for this position.

First, I would like to advance the changes we propose. Despite neighborhood concern for off street parking, which we also feel is mandated to market the apartments; it would be an acceptable trade off to cut three of the underground spaces. This would permit us to bring the building footprint at least 17 more feet away from the rear property line. This would respond to several issues. It would add surface open space of approximately 1,200 square feet, or an additional 11.4% of the site. It would also bring the wall of the parking deck at least 17 feet further from the rear property line. These were two problems cited in your letter. It will reduce the mass, particularly as seen from the side elevations. Moreover, the additional setback from the rear property line would provide over 17 feet of clearance which would be available for a block wide solution to internal parking and traffic movement within the block. If matched by equivalent setback by other potential development on the block this would provide a minimum of a 35 foot drive aisle, permitting future creative, cooperative approaches to parking and access, which you point out, would be prohibited by current design.

This alteration would also provide a means to better address drainage on the site, which was the most significant of the design concerns raised by the Urban Design Commission (UDC) in our informational presentation to the body on March 2, 2005. For your information, the Commission raised several other minor, salutary comments relative to the choice of siding, trim and window bay sizes and placement. Other than that and the drainage question, the Commission raised no substantial concerns with the design, as I believe would be prudent at the time of the informational presentation. The Chair pointed out to the Commission that your letter was in their materials, but no other design comments were made. There was one Commissioner who did raise an objection to the project based on a reluctance to see any demolition of existing buildings.

Based upon UDC comments and the "tweaks" in the last paragraph of your letter we are prepared to make adjustments you feel may address surface appearance issues or oversights in our design as well. If cost constraints permit, we may also be able to provide some small brick or block treatment on the front elevation and porches in an effort to add a more "urban" feel. We would be happy to discuss these features with you or your staff.

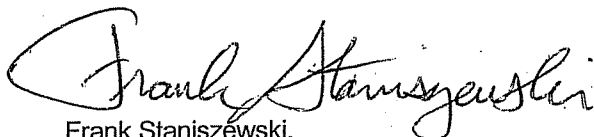
I hope you recognize the merit of these proposed changes in addressing many of your concerns. Other than this, we would resist profound re-design of the building. There are several reasons. First, the central drive is a necessary feature to allow parking on site, which we and neighborhood comments agree is essential. The drive size and location is an existing feature of the site, not a new addition. The latest plans represent a third try to drive the garage door entrance well back into the building and lower relative to the street surface. It is unrealistic for us to gain other parking access, given that we control only these two lots. Neighboring property owners have been approached regarding sale or access, and are not interested in cooperating. Moreover, the feature is not an uncommon access, duplicated in other recent developments in the Bassett Neighborhood, including Bedford Court and City Place

Apartments (430 W. Main). City Place Apartments' design bears a strong resemblance to our approach. It covers an equivalent percentage of the site surface, sitting atop a partially elevated parking floor, with a rear elevated deck for open space. It is also in the 400 block, west, with the rear property line abutting the rear property lines of West Washington properties. It is four-story frame construction with siding. (Although it has some stone block treatment to the first floor, front elevation; while our design has a set-back to the fourth floor to lessen the impact at the street.) City Place is also twice the scale, covering four former lots where previous duplex units were demolished. I recognize that our site is not within the confines of the Bassett Neighborhood Master Plan, but the site is within the approved Project Plan and Map of TIF 28, the Bassett Neighborhood TIF, whose map expanded the area to include West Mifflin and even Dayton Streets. This District and project plan, approved on October 19, 1999 by the Madison City Council also identifies our block and site as "Underutilized/Blighted Property." Subsequently, the City's TIF Policy was amended to add a 10% set-aside for affordable housing. It was in response to the City's Request For Proposals for the Bassett TIF set-aside in February of 2004, that our project began. Our initial, conditional approvals for this funding also mandated that we continue to work with the neighborhood on design.

The neighborhood input has kept us on the current style, with as much modification as possible to blend in with the look of adjoining properties. We feel our design recreates the feel of the existing two duplex street fronts, with two porches and a center drive, as now exist. The buildings are set back at roughly the same position and are close in height fronting the street as nearby three flats. Our fourth floor is setback an additional 10 feet. Your letter criticizes the mass and style of this approach, though by calling for changes in style, I assume that mass would be acceptable with a different, more "urban" style as you propose. (Our proposed alterations described above also reduce mass and the lot coverage.) Unfortunately the neighborhood process we have engaged for the last 13 months urge a less urban style that endeavors to blend into the existing look, rather than set a style for future development. This is similar to the look of Third Lake Ridge (1037-45 Williamson St.) which recreates the Victorian-style frame construction of the area. If you are concerned with the mass or density of our proposal, I would point out that it compares favorably at 92 dwelling units per acre, to the building immediately across the street from our site at 434 W. Mifflin, which is 128 units per acre, or a more recently constructed project in the Capitol Center Neighborhood at 402 W. Dayton, which is 210 units per acre.

In closing, I hope these changes and other adjustments we can pursue mutually, alleviate many of the major concerns you expressed. Otherwise, we expect to submit for approvals on or before April 13. I regret that the stylistic approach may still not meet the recommendations of your letter, but feel we have other competing directives resulting from the process we have been engaged in for over a year. In addition, please take into consideration that the proposed development has over 65% of the units available to lower income tenants. This is one of the main purposes and missions of MDC, which we think is consistent with the policies of the City as a whole and of the designated Bassett Neighborhood TIF 28. This objective also imposes cost constraints and choices in materials and other elements where we have already made decisions to add as much quality to the project as possible.

Sincerely,



Frank Staniszewski,
President, MDC

cc. Ald. Mike Verveer, Hickory Hurie, Jeanne Hoffman, Mary Charnitz

AGENDA # V.B.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: June 1, 2005
TITLE: 437, 439, 441 & 443 West Mifflin Street - PUD(GDP-SIP), Demolish Two Buildings for a 23-Unit Building	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: William A. Fruhling, Acting Secretary	ADOPTED: POF:
DATED: June 1, 2005	ID NUMBER:

Members present were: Paul Wagner, Chair; Lisa Geer, Robert March, Bruce Woods, Ald. Noel Radomski, Michael Barrett, Todd Barnett and Lou Host-Jablonski

SUMMARY:

At its meeting of June 1, 2005, the Urban Design Commission **REFERRED** a request for a PUD(GDP-SIP) to demolish two buildings and construct a 23-unit building. Frank Staniszewski, with Madison Development Corp., stated that since their last appearance before the Commission, the applicants met with Planning Unit staff. He stated that they are unable to reduce the number of units and can't make the building larger, so they are asking the Commission to vote it up or down. Colin Godding, project architect reviewed revisions to the front elevation.

Victor Villacrez, representing Madison Development Corp., registered in support. Carrie Scherpelz, 360 West Washington Avenue #512, registered in support, noting that she feels the developers have been responsive to concerns of the neighborhood.

Rosemary Lee, 111 West Wilson Street #108, registered in opposition, stating that she doesn't feel the proposal will fit in with the architectural character of the neighborhood. William Patterson, 1014 Williamson Street #2, registered in opposition, stating that the proposal is out of scale and character of the surrounding neighborhood. Jim Skrentney, representing the Capitol Centre District of Capitol Neighborhoods and the Steering Committee for this project, registered in opposition, stating that the developers did not meet again with the neighborhood as they said they would do at the last meeting. Also, he feels the scale and massing of the proposal are inappropriate. Peter Ostlind, 533 West Main Street, registered in opposition, stating that the project is not in scale with the rest of the street and that he doesn't feel changes were made since the last appearance before the Commission.

Woods expressed concern with the larger elements on the side elevations being close to the street and not having any windows. Godding stated that it is a building code issue. Woods also felt that a four-story building would be overpowering on this site. Barnett stated the size and location of the garage door is his biggest concern. Godding stated that Traffic Engineering is seeking a wider (16') door. Wagner stated that he supports the alternative of having a usable porch above the garage door, removing the second roof element on the right side of the front elevation, and adding windows to the elements on the side elevations.

ACTION:

Geer moved, seconded by March, to grant initial approval subject to removing the second roof element on the right side of the front elevation, and consideration of some type of windows on the elements on the side elevations. The **motion failed** on a vote of 3-4-1 (Wagner, Barrett, Barnett and Woods voted no, and Host-Jablonski abstained).

Woods moved, seconded by Barnett, to refer the application. The **motion failed** on a vote of 3-4-1 (Geer, Radomski, March and Barrett voted no, and Host-Jablonski abstained).

Barrett moved to reject the application. The **motion failed** due to the lack of a second.

On a motion by Barnett, seconded by March, the Urban Design Commission **REFERRED** a request for a PUD(GDP-SIP) to demolish two buildings and construct a 23-unit building at 437, 439, 441 & 443 West Mifflin Street. The referral was to allow the applicant to:

- work with Traffic Engineering to reduce the garage door size (from 12' to 8') and explore moving it to one side or the other
- having a usable porch above the garage door
- removing the second roof element on the right side of the front elevation
- adding windows to the elements on the side elevations.

The motion passed on a vote of 5-2-1 (Geer and Barrett voted no, and Host-Jablonski abstained).

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 3, 5, 6, 6, 6, and 6.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 437, 439, 441 & 443 West Mifflin Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	3	4	4	-	-	3	3	3
	2	5	3	5	-	4	3	-
	-	-	-	-	-	-	-	6
	6	6	5	-	-	-	7	6
	-	-	-	-	-	-	-	6
	5	5	5	-	-	5	5	5
	6	7	7	-	-	6	6	6.5
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-

General Comments:

- Building is too tall (four stories) and should not be more than three stories. Garage is too visible and if wider would be worse.
- This would be a beautiful addition to a suburban development. It has no business in one of our classic, cherished downtown neighborhoods. Completely out of scale and character.
- Details, massing have improved, but still concerned with garage door.
- Too big, but does not destroy character of area.
- Better proposal.
- Prefer front balcony proposed revision – if usable. Add windows in blank walls. Delete upper right front gable.
- Prefer the balcony that extends across the face of the building. Would like to see windows somehow along the side façade where it is closer to the lot line.

AGENDA # IV.E.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: April 20, 2005

TITLE: 437, 439, 441, & 443 West Mifflin Street -
PUD(GDP-SIP), Demolish Two Buildings
for a 23-Unit Building

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: April 20, 2005

ID NUMBER:

Members present were: Paul Wagner, Chair; Lou Host-Jablonski, Todd Barnett, Robert March, Michael Barrett, Lisa Geer, Bruce Woods, and Ald. Noel Radomski.

SUMMARY:

At its meeting of April 20, 2005, the Urban Design Commission **REFERRED CONSIDERATION** of a PUD(GDP-SIP), to demolish two buildings for a 23-unit building on property located at 437, 439, 441, 441, and 443 West Mifflin Street. Appearing on behalf of the project was Colin Godding and Frank Staiszewski, both from Madison Development Corporation, Christopher Thiel, and Victor Villacrez. Jim Skrentny from the Capitol Centre Neighborhood Association Steering Committee, Rosemary Lee, Sheridan Glen, and Peter Ostlind appeared in opposition to the project. The modified plans as presented featured the following:

- The fourth floor level on the front elevation has a setback of 10' for the lower three stories.
- A minimal rear yard setback has now been increased to 17' 8 1/2", resulting in a reduction in the number of parking stalls within the lower level parking deck. The newly created rear setback provides for stormwater drainage, landscaping and open space, and provides for the potential for future whole block circulation.
- Elevation changes consist of modifications to the change in style of projections on the front elevation and modifications to side elevation bays, with more repetitive projections with the elevator tower façade adjusted with a more horizontal siding treatment. Staff noted that some of the plan modifications were a direct result of discussions with Planning Unit staff on previous issues covered in a letter by Brad Murphy (to Victor Villacrez dated 03-02-2005) and response from the Madison Development Corporation in a letter from Frank Staniszewski (dated 03-23-2005). Staff noted that there were still significant issues with the project as noted within the memo from Murphy, with an emphasis on the location on the front elevation of a garage door entry as the main architectural feature of the first floor level elevation as a significant issue yet to be resolved.

Following the presentation, registered and speaking in opposition to the project noted the following:

- The proposal suffers from a judgmental developmental approach, maximizing parking and building space, with lot line to lot line construction, featuring garages at the street, consistent with issues raised within the Murphy correspondence.
- There is a concern with the precedent of approval of a project of this type within the context of the neighborhood. Any development should be complementary to the existing architecture in the area, featuring a building with a waist, outdoor patios, appropriate materials and design with an architecture

of high quality. The project as proposed does not feature an extremely high quality design to establish a precedent and has not yet evolved to this level.

- The proposed architecture is not in scale of design with existing adjacent structures in the block and provides for the interjection and integration of this type of housing in the Mifflin area, and will effectively reduce the existing character of student housing within the area.
- The neighborhood meetings on the project reflect mixed outcomes, emphasizing that the project will change the physical character of the neighborhood. The proposal in this place in the Mifflin Neighborhood will provide for loss of affordable student housing in the area. The building height, setback and design will be the basis for justifying more development of this type, which doesn't fit the architecture of the neighborhood and creates issues with compatibility and suitability within the area.

Following feedback from the neighborhood residents, the Commission expressed concerns on the following:

- The project's effect on the street and neighborhood reflect a negative change in the character of the street and neighborhood with the loss and removal of existing traditional housing in the area.
- The project will provide a precedent in encouraging redevelopment without regard to creating a place maintaining the historic character and architecture of the area, encouraging death by a thousand cuts to this older neighborhood with the loss of existing structures, reducing and contributing to the loss of existing neighborhoods within the city.
- The building overtops the scale of existing neighborhood residential development.
- Encourage working with staff (as per Murphy's correspondence) for a better solution to site development. The project is too much in a small place.
- The project could be a catalyst in creating improvements to adjacent structures. Appreciate the potential for providing a mix within the neighborhood which includes on-site open space infiltration, but would like to see a more Victorian-style façade.

ACTION:

On a motion by Geer, seconded by Barnett, the Urban Design Commission **REFERRED CONSIDERATION** of this item. The motion was passed on a vote of (6-1-1) with Barnett voting no and Host-Jablonski abstaining. The motion to refer emphasized the following:

- Resolve the conflicts with the neighborhood and ideology of the Planning Department as contained with the Murphy correspondence relevant to development on the site.
- Look at visual appearance; re-examine the setback of the fourth floor and its relationship to the lower floors. Provide a canopy over garage entry or relocate to side elevation, reduce the mass of the building on the street, as well as attempt to match and complement existing architecture on the street and adjacent properties.
- Re-examine the garage's predominance as a major element of the front façade and its relationship to the street.

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URBAN DESIGN COMMISSION PROJECT RATING FOR: 437, 439, 441, 441, & 443 West Mifflin Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	4	5	4	-	-	4	4	4
	3	5	3	3	-	3	2	3
	-	5	5	-	-	-	5	5
	-	-	-	-	-	-	-	6
	3	4	6	-	-	3	3	3
	5	8	-	-	-	6	8	7
	5	5	6	5	-	5	5	5
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-

General Comments:

- Relationship to street is poor due to garage entry dominating the street façade.
- Why this assault on our classic, character-filled neighborhoods?
- Open space and scale concerns most. Garage door.
- Project too tall for neighborhood. Garage door on street does not work as proposed.
- I think this is a direction this neighborhood should be developing toward.
- Providing affordable apartments is a big plus for this project. Reduction in parking to allow for “permeable” open space and landscape greatly improves the project and addresses stormwater problems in the area.