

PLANNING DIVISION STAFF REPORT

July 25, 2016



PREPARED FOR THE PLAN COMMISSION

Project Address: 308 N. Blair St. (District 2 - Ald. Zellers)
Application Type: Demolition Permit and Conditional Use
Legistar File ID # [43419](#)
Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Jay Wendt, Principal Planner

Summary

Applicant & Property Owner: Michael Matty; Renaissance Property Group, LLC; 2132 Fordem Ave., Suite 1300; Madison, WI 53704

Contact: Chris Oddo; InSite Consulting Architects, LLC; 115 E. Main St., Suite 200; Madison, WI 53703

Requested Action: The applicant requests approval of:

- A Demolition Permit to demolish the existing single-family structure for the purpose of constructing a multi-family residential building; and
- A Conditional Use to construct a multi-family residential building with eight (8) units in the Downtown Residential-1 (DR-1) zoning district.

Proposal Summary: The applicant is seeking approval of a Demolition Permit to demolish an existing, two-story single-family residence for the purpose of constructing an eight-unit, two-story multi-family residential building in the Downtown Residential-1 (DR-1) zoning district. The applicant's development proposal includes one- and two-bedroom apartment homes, long- and short-term bike parking in excess of what is required, shared open space both at grade and as balconies on the second and third stories, and a loading area.

Applicable Regulations & Standards: Pursuant to Section 28.071, MGO, multi-family dwellings comprised of 5-8 units are identified as Conditional Use. As such, this proposal is subject to the standards for conditional uses pursuant to Section 28.183(6), MGO.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that:

- The approval standards for demolition permit are met and **approve** the Demolition Permit to demolish an existing single-family residence for the purpose of constructing a multi-family residential building at 308 N. Blair St.; and
- The approval standards for Conditional Use are met and **approve** the conditional use request to construct a multi-family residential building with eight (8) units at 308 N. Blair St.

This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The project site is located mid-block on the west side of N. Blair Street between E. Johnson and E. Gorham streets within an area known as the City’s Central Area. The project site is located within the James Madison Park Neighborhood and is comprised of approximately 6,468 square feet (0.14 acres).

The site is in Aldermanic District 2 (Zellers) and the Madison Metropolitan School District.

Existing Conditions and Land Use: Currently the project site is comprised of a two-story single-family residence in the Gothic Revival style with a cross-gable roof configuration and front stoop. According to the City Assessor’s records the existing residence is approximately 1,632 square feet in size with a 1,073 square-foot basement and was constructed in 1877.

Also present on the project site is a large garden space that is located in the rear yard totaling roughly 1,250 square feet. The garden space will not be impacted by the development proposal and will remain on the project site for the foreseeable future.

Surrounding Land Use and Zoning: The project site is zoned Downtown Residential-1 (DR-1). Pursuant to Section 28.077, MGO, the Downtown Residential zoning district’s general purpose and intent statement speaks to:

- Facilitate the preservation, development or redevelopment goals of the comprehensive plan and of adopted neighborhood, corridor or special area plans.
- Promote the preservation and conservation of historic buildings and districts while allowing selective infill and redevelopment based on adopted plan.
- Ensure that new buildings and additions to existing buildings are designed with sensitivity to their context in terms of scale and rhythm, building placement, facade width, height and proportions, garage and driveway placement, landscaping, and similar design features.

North: Multi-family Residential (two units); DR-1 zoning;

South: Multi-family Residential (five units); Planned Development (PD) zoning and Single- and multi-family (two units) Residential; DR-1 zoning;

East (across N. Blair): Multi-family Residential (83 units); PD zoning; and

West: Multi-family Residential (two units); DR-1 zoning.

Zoning Summary:

Zoning Criteria		
Requirements	Required	Proposed
Lot Area (sq. ft.)	3,000 sq. ft.	6,468 sq. ft.
Lot Width	> 3-unit dwellings: 40’	49.5’
Front Yard Setback	15’	10’ (Zoning Condition #5)
Side Yard Setback	5’	5’ North 10’ South
Rear Yard Setback	Lesser of 20% lot depth or 30’	59’

Usable Open Space	40 sq. ft. per bedroom (560 sq. ft.)	670 sq. ft.
Maximum Lot Coverage	75%	Less than 75%
Maximum Building Height	See Downtown Map: 4 stories	3 stories
Stepback	See Downtown Map: None	None
Site Design	Required	Proposed
Number Parking Stalls	None (Central Area)	None
Accessible Stalls	None	None
Loading	None	1-10' x 25'
Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (8) 1 guest space per 10 units (1)	8 covered 2 surface 10 total (Zoning Condition #6)
Landscaping and Screening	Yes	Yes (Zoning Conditions #7,8,9)
Lighting	No	No (Zoning Condition #10)
Building Forms	None	

Other Critical Zoning Items	
Yes:	Barrier Free (ILHR 69), Utility Easements, Wellhead Protection District (WP-24)
No:	Urban Design, Historic District, Floodplain, Adjacent to Park, Wetlands

Zoning Table prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Comprehensive Plan: The Comprehensive Plan identifies the project site as being within the First Settlement-Old Market Downtown Residential Sub-District. The Comprehensive Plan identifies that historic preservation and neighborhood conservation are the key issues in this sub-district. The Comprehensive Plan also identifies multi-family development with densities consistent with those identified in the applicable City-adopted neighborhood plans and buildings ranging in height from two to eight stories as being appropriate land uses in this area.

Adopted Neighborhood Plan: The project site is located within the Downtown Plan, in the James Madison Park Neighborhood. The Downtown Plan characterizes the James Madison Park Neighborhood as being comprised of “fairly intact blocks of two- and three-story houses” (Page 56, Downtown Plan). The Plan recognizes that the redevelopment that reflects the scale and rhythm of the existing structures will help to maintain the character and enhance the future vibrancy of the area. The Downtown Plan does not identify a target density for this area.

In addition, the Downtown Plan identifies specific recommendations for redevelopment along N. Blair Street: “Allow infill and redevelopment along...Blair Street generally compatible with scale and design with predominantly “house-like” neighborhood character” (Page 56, Downtown Plan).

Environmental Corridor Status: The subject site not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description

The applicant requests approval of both a Demolition Permit and Conditional Use to demolish an existing, two-story single-family residence and construct a three-story, eight-unit, multi-family residential structure in the Downtown Residential-1 (DR-1) zoning district. The applicant’s development proposal includes:

- One (two units) and two bedroom (six units) apartment homes;
- Excess bike parking (nine spaces required where 18 are proposed). The required long-term (eight spaces) and short-term (two spaces) bike parking and one additional in-unit, wall mounted bike parking will also be provided in each unit (eight spaces);
- Shared open space at grade in the form of paved areas and on the second and third stories in the form of wood decks. It is important to note that while the existing garden located in the rear yard will remain on site into the foreseeable future, it is not considered useable open space for the purpose of meeting open space requirements. The garden will not be accessible to the residents of the proposed eight-unit building; and
- A loading area (10' x 25') located on the south side of building that will be used for deliveries, garden maintenance and resident loading and unloading.

There is not a minimum parking requirement for the project site given its location in the City's Central District. No onsite parking is proposed.

The proposed building is minimalistic in detailing, resembling a vernacular building with a half-hipped roof configuration and rectangular building footprint. The building is accessible via two points of entry; a pronounced, front porch entry is located along N. Blair Street and a rear building entry; both entries provide for ADA accessibility. The material palette consists of cement board siding and trim, and both vinyl and glass block windows.

Analysis and Conclusion

Demolition Permit: In order to approve the Demolition Permit, Plan Commission must find that the proposed demolition and future use meet the Demolition Permit approval standards pursuant to Section 28.185(7), MGO, including:

- The applicable zoning district provisions for the DR-1 zoning district;
- The adopted neighborhood plan;
- The city's Comprehensive Plan; and
- The report from the City's Historic Preservation Planner.

Planning Division staff believes that the proposed demolition and future use is consistent with the Zoning Code, Comprehensive Plan and adopted neighborhood plan in that:

- The placement of the proposed building maintains the existing relationships between buildings, including site access, building orientation, and general footprint location. By maintaining the residential land use and development pattern that is prevalent in the area, the existing neighborhood character is preserved.
- The proposed design is complementary to that of the existing surrounding development in terms of scale and design.

The proposed building is a three-story multi-family building with a rectangular footprint and half-hipped roof configuration. The proposed material palette consists of more modern traditional materials, including cement board siding and trim, and vinyl and glass block windows, which maintains a similar design aesthetic that is already present in the area.

The majority of the properties within close proximity to project site are 1-3 story structures, including several single-family residences that have been converted over time to multi-family dwellings, and both large and small apartment buildings, including City Row.

Of the properties in close proximity to the project site, the lots range in size from roughly 1,900 square feet to 6,500 square feet, with the project site falling within the range at 6,468 square feet. The building sizes range from under 1,500 square feet up to roughly 5,100 square feet (according to the City Assessor's records). The proposed building, at 7,854 square feet in size is larger than all of the other buildings located along the same block, with the exception of City Row, which is located at the northwest corner of N. Blair and E. Johnson Streets and is comprised of 83 apartment homes. Although the proposed building is a larger multi-family residential building, the use of single-family residential design features, including a front porch, help to maintain the building's single-family residential likeness. Overall, staff believes that the general mass and scale of the proposed building are consistent and compatible with the existing surrounding development.

- The proposed three-story multi-family development was found to be consistent with the adopted neighborhood plan and Comprehensive Plan, which identify multi-family residential development, ranging from two to eight stories as being appropriate.
- The proposed demolition was reviewed by the Landmarks Commission at its June 6, 2016 meeting, and Historic Preservation Planner. The existing structure was found to have historic value related to the vernacular context of Madison's built environment. The Landmarks Commission did not have enough information to determine if the building is historically, architecturally or culturally significant.

Conditional Use: Pursuant to Section 28.071, MGO, multi-family dwellings comprised of 5-8 units are identified as Conditional Uses in the DR-1 zoning district. As such, this proposal is subject to the standards for conditional uses pursuant to Section 28.183(6), MGO.

Generally, the intent of a Conditional Use review is to determine if a particular site is an appropriate location for a proposed use, to evaluate the compatibility of that use with surrounding uses and development, and to mitigate potential nuisance impacts to surrounding properties. In order to approve the Conditional Use request, Plan Commission must find that the proposed Conditional Use approval standards pursuant to Section 28.183(6), MGO, including those related to normal and orderly development, mitigating nuisance impacts, and consistency and compatibility with the existing development have been met.

Planning Division staff believes that the proposed Conditional Use meets the Conditional Use approval standards, including:

- The area is characterized by its predominantly mixed density residential character exhibiting single- and multi-family residential units. The residential character of the area will not be significantly impacted given that the residential land use will remain (Standards #1-7).
- The proposed multi-family residential building is being located on the project site in a manner that is sensitive to existing building relationships, including maintaining the historic driveway access from N. Blair Street for the proposed loading area, and similar building setbacks. Recognizing that the proposed building is larger there will be an increase in the overall building to lot ratio from roughly 18 percent to 31 percent, a resulting number that is significantly below the maximum (75 percent). The historic building placement on the project site will be maintained as well as the general development patterns

that are present in the area along N. Blair Street, with buildings and front porches lining the street (Standard #4).

- The proposed building material palette consists of more modern traditional materials, including cement board siding and trim, and vinyl and gloss block windows, which maintains a similar design aesthetic that is already present in the area (Standard #9).

At the time of report writing, public comment from the neighborhood steering committee that is comprised of representatives residing on the same block as the project site had been received. Generally, the concerns expressed in the letter include:

- Parking and the exacerbation of an already existing problem in the neighborhood; and
- Density.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

The Planning Division recommends that the Plan Commission find that:

- The approval standards for demolition permit are met and **approve** the Demolition Permit to demolish an existing single-family residence for the purpose of constructing a multi-family residential building at 308 N. Blair St.; and
- The approval standards for Conditional Use are met and **approve** the conditional use request to construct a multi-family residential building with eight (8) units at 308 N. Blair St.

This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division (Contact Jessica Vaughn, (608) 267-8733)

1. Prior to final approval and building permit issuance, the Applicant shall submit final plans for review and approval by staff, and shall include the following revisions:
 - a. Fully dimensioned floor plans, including the garden level and third floor.
 - b. Revised open space calculation. Note that pursuant to Section 28.140, MGO balconies may be used to meet up to seventy-five percent of the minimum open space requirements, provided that a minimum dimension of four and one-half feet is maintained.

City Engineering Division (Contact Brenda Stanley, (608) 261-9137)

1. This site has drainage that moves from west to east across the site. Additional information shall be provided showing the ability to accommodate this drainage pattern with the new development.
2. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the

owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm> (CH 35.02(14), MGO).

3. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).
4. The Applicant shall submit, prior to plan sign-off, but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
 - k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

5. The Applicant shall demonstrate compliance with Sections 37.07 and 37.08 MGO, 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 5.0 tons per acre per year.
6. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required (NOTIFICATION).
7. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction (POLICY).

8. All work in the public right-of-way shall be performed by a City licensed contractor (Sections 16.23(9)(c)(5) and 23.01, MGO).
9. All damage to the pavement on N. Blair Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY).

Traffic Engineering Division (Contact Eric Halvorson, (608) 266-6527)

1. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
2. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
3. All parking facility design shall conform to the standards as set in Section 10.08(6), MGO.
4. Per Section 12.138 (14), MGO, this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

1. Section 28.185(7)(a)(5), MGO requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
2. Pursuant to Section 28.185(10), MGO every person who is required to submit a reuse and recycling plan. Pursuant to Section 28.185(7)(a)5, MGO the Applicant shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
3. Pursuant to Section 28.185(9)(a), MGO, a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. The Applicant shall submit a fully dimensioned site plan for final site plan review showing the dimensions of the proposed building and porches and distances to the property lines.
5. The Applicant shall submit an exhibit for the front yard setback averaging. Where at least fifty percent (50%) of the front footage of any block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the existing principal structures on the block face or the normal setback requirement in the district, whichever is less, but no less than ten (10) feet.
6. The Applicant shall submit a detail showing the model of bike rack to be installed.
7. Landscaping located within the existing community garden area cannot be counted toward the landscape

points calculation. Required landscaped areas shall be calculated based upon the total developed area of the property. Developed area, for the purpose of this requirement, is defined as that area within a single contiguous boundary which is made up of structures, parking, driveways and docking/loading facilities, but excluding the area of any building footprint at grade, land designated for open space uses such as athletic fields, and undeveloped land area on the same zoning lot. Clearly identify the proposed landscaping on the landscape plan.

8. Revise the site plan to show the trash enclosure area and provide a detail of the enclosure. All developments, except single family and two family developments, shall provide a refuse disposal area. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
9. Rooftop condensing units are proposed. Exhibit A3.05 shows that the units will not be visible from view from adjacent streets. Screening per Section 28.071(3)(h), MGO will be required if the rooftop units are visible upon their installation.
10. Lighting is not required. However, if it is provided, it must comply with Section 10.085, "*Outdoor Lighting*," MGO.
11. Per Section 28.186(4)(b), MGO the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

1. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner (608)516-9195.

Parks Division (Contact Janet Schmidt, (608) 266-4714)

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| <ol style="list-style-type: none">1. Park impact fees (comprised of the Park Development Impact Fee per Section 20.08(2), MGO and the Parkland Impact Fee in lieu of land dedication per Sections 16.23(8)(f) and 20.08(6), MGO) will be required for all new residential development. The developer must select a method for payment of park fees before sign-off on the rezoning. This development is within the Law Tenney impact fee district (SI 26). Please reference ID# 16130 when contacting Parks about this project. |
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2. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Water Utility (Contact Dennis Cawley, (608) 261-9243)

1. All operating private wells shall be identified and permitted by the Water Utility in accordance with Section 13.21, MGO. All unused private wells shall be abandoned in accordance with Section 13.21, MGO.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

The agency reviewed this request and has no recommended no conditions of approval.

City Engineering Review Mapping (Contact Jeff Quamme, (608) 266-4097)

1. Show and label the License Agreement Area for the Garden in the rear of the property and refer to the recorded Document No. 4592284.
2. The plan shows concrete paving to be constructed all the way to side parcel lines. Applicant is responsible to obtain any necessary construction agreements with the adjacent property owners to construct the site to the plan.
3. Submit a PDF of all floor plans to lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.