



## Report to the Plan Commission

December 3, 2012

Legistar I.D. #28462 and #28120

313-315 N Frances Street

Demolition and Rezoning

Report Prepared By:  
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Planning Division Staff

**Requested Action:** Approval of the demolition of two existing buildings and the rezoning of property from C2 (General Commercial) District to PUD-SIP (Planned Unit Development-Specific Implementation Plan) to construct a twelve-story building with 42 residential units and ground floor commercial space.

**Applicable Regulations & Standards:** Section 28.12(12) provides the process for review and approval of demolitions. Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Development Districts, including those in Downtown Design Zones.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for demolition, zoning map amendments, and planned unit developments are not met and forward the request to the December 11 meeting of the Common Council with a recommendation to **place on file** the proposal. Alternatively, should the Plan Commission find that the standards are met and recommend approval, they should do so subject to input at the public hearing and conditions from reviewing agencies.

### Background Information

**Applicant/Property Owner:** Scott Faust; Boardwalk Investment; 210 N. Bassett St.; Madison, WI

**Project Contact:** Randy Bruce; Knothe and Bruce Architects, LLC; 7601 University Ave., Ste. 201; Middleton, WI

**Proposal:** The applicant proposes to demolish a single-family home and a three-unit building for the construction of a twelve-story, 42-unit building with a small commercial space on the ground floor.

**Parcel Location:** 313 and 315 North Frances Street are two parcels located on the east side of North Frances Street between University Avenue and West Johnson Street, adjacent to Conklin Place; Downtown Design Zone 2; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

**Existing Conditions:** The five-bedroom single-family home at 313 N. Frances St. is approximately 1,880 square feet and was constructed in 1894. The three-unit apartment building at 315 N. Frances was constructed in 1884, and was likely a single-family home originally. Both buildings are on very small, 2,500 square-foot properties with informal gravel parking areas in the rear yards, accessed from Conklin Place and the alley just east of the properties.

### Surrounding Land Use and Zoning:

**North:** A three-story mixed-use building with restaurants (Dotty Dumpling's Dowry and Ian's Pizza) on the ground floor and two five-bedroom apartments above in the C2 (General Commercial) District. *Note: This property will be in the Urban Mixed Use (UMX) District as of January 2, 2013.*

**South:** Across Conklin Place to the south, Saxony Apartments, which consists of 229 units in three 6 to 8-story buildings in the R6 (General Residence) District. Also, three single-family homes and a four-unit apartment building in the R6 District. *Note: This property will be in the Urban Mixed Use (UMX) District as of January 2, 2013.*

**East:** La Ciel apartments, an 11-story apartment building with 89 units (201 bedrooms) in the PUD-SIP (Planned-Unit Development – Specific Implementation Plan) District. *Note: This property will be in the Planned Development (PD) District as of January 2, 2013.*

**West:** The Fluno Center, a nine-story UW-Madison building in the PUD-SIP (Planned-Unit Development–Specific Implementation Plan) District. *Note: This property will be in the Campus Institutional (CI) District as of January 2, 2013.*

**Adopted Land Use Plans:** The Comprehensive Plan (2005) includes this property within the “Student High-Rise” residential subdistrict of the downtown area. The Downtown Plan (2012) recommends “Downtown Mixed-Use” for the property, and the Downtown Height Map shows a maximum of 12 stories.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The area is served by a full range of urban services.

**Zoning Summary:**

Bulk Requirements	Required*	Proposed
Lot Area	6,000 sq. ft.	5,073 sq. ft.
Lot width	60'	50.85'
Usable Open Space	6,930 sq. ft.	To be shown on plans
Front yard	20'	6"
Side yards	11'	1' right, 3.5' left
Rear yard	30'	10'5" at grade, 5' above
Floor area ratio	2.0	9.3
Building height	3 stories / 40'	12 stories

Site Design	Required	Proposed
Number parking stalls	0	0
Bike Parking	99	103 (8 moped surface) (Please see p. ?, Condition No. )
Accessible stalls	0	0
Loading	1	1
Landscaping	As shown	Adequate

Other Critical Zoning Items	
Urban Design	Yes (PUD)
Historic District	No
Landmark Building	No
Adjacent to Landmark	No
Floodplain	No
Utility Easements	Yes
Adjacent to park	No
Barrier Free (ILHR 69)	Yes

*\*Since this project is being rezoned to the PUD(SIP) District, and there are no predetermined bulk requirements, staff has reviewed the project based on the criteria for the R6 District because of surrounding land uses.*

*Compiled by Pat Anderson, Assistant Zoning Administrator*

**Related Actions**

On July 30, 2012, the Landmarks Commission informally considered the proposed demolitions for this development, and voted to recommend that the Plan Commission note their concern that the development standards in the Downtown Plan (2012) will significantly diminish the availability of affordable student housing in the area. They did not have specific concerns about the buildings proposed for demolition with this request.

On October 3, the Urban Design Commission heard an informational presentation on the proposal. Commission members noted that the stair tower (north elevation) looks very blank, but generally supported the height of the building. They requested that the applicant bring back information about other building “tops” in the area, and one member suggested that they consider a “nice thin top”, and “something really iconic”. The applicant was reminded to bring back to the UDC a detailed discussion of how the proposal meets the Downtown Design Zone criteria.

On November 7, the Urban Design Commission reviewed the proposal and referred the proposal with recommendations to further study the roof, and a concern that the proposal does not meet the Interior and Exterior Design Criteria for development in Downtown Design Zones. Specific concerns were stated about the proposed density on such a small site. On November 28, the Urban Design Commission again referred the proposal. The proposal would still need initial and final approval from the UDC to move forward.

Reports from the October 3 and November 7 UDC meetings are included for reference, and the report from the November 28 meeting will be provided if available.

## **Project Description**

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The applicant proposes to demolish a single-family home and a three-unit building for the construction of a twelve-story, 42-unit building with a small commercial space on the ground floor.

### **Existing Conditions**

The 5,000 square foot site is currently comprised of two 2,500 square foot parcels with a single-family home and a three-unit building, both constructed in the late 1800's. Behind the existing buildings is an informal gravel parking area, with a utility pole which serves nearby properties located in the southeastern corner of the property. The property is accessed off of North Frances Street by Conklin Place, a 20-foot wide street immediately to the south. An unnamed public alley, just 11 feet wide, runs north and south behind the property, linking Conklin Place with University Avenue.

### **Description of Proposal**

**Building Bulk and Placement-** The proposed building would cover virtually the entire property, with a 6-inch setback from the front property line, a 1-foot side yard along the southern property line along Conklin Place, a 3-foot side yard along the northern property line, and a 5-foot rear yard (the base of the building is located 10 feet from the property line so as to allow space for loading purposes, and upper floors protrude 5 feet further into the rear yard). A portion of the eleventh story is stepped back 5 feet and another portion is stepped back 15 feet from the main face of the building to provide space for a roof deck, accessible by all tenants. The twelfth story hangs over approximately 100 square feet of this space to accommodate a five-bedroom unit in the front of the building, and thus provides cover from the elements for a portion of the roof deck.

The first floor of the building is 14 feet, and upper floors have a floor-to-floor height of 9'8". The highest point of the rooftop is 132'7", and the mechanical penthouse is 134' 4".

**Residential Density and Unit Type-** As proposed, the building would be among the densest, if not the densest developments in the city, with approximately 365 units per acre and over 845 bedrooms per acre. Although intended wholly for the student market, the proposed mix of one-bedroom through five-bedroom units provides for many different living arrangements. The dwelling units are relatively small, with an average of 371 square feet per bed (units with more than one bedroom have an average size

of only 327 square feet per bed). With one exception on the twelfth floor, all bedrooms have windows, and each unit has a roughly 5-foot by 10-foot balcony. Storage provided within the units is limited to small 2-foot by 4-foot closet spaces within each bedroom. There appears to be no common coat closet or food pantry in any of the units. As proposed, each unit would be furnished with beds dressers, and living room furniture, and each floor contains a small laundry room for use by the nine tenants on each floor.

**Parking and Access-** No automobile parking is provided on site, although cars and loading vehicles can access a rear loading area situated partially below the second floor of the building. Pedestrian access to the building is through two front doors, one of which leads into the first floor commercial space, and the other to the residential tower. Tenants with bicycles would access the building through a rear door, which leads into and out of a basement parking area for 96 bicycles (36 standard stalls and 60 tight vertical spaces). Visitors or customers arriving by bicycle could access 4 bike parking stalls attached to the south side of the building. Finally, there are 8 moped stalls proposed behind the building, which would be accessed from Conklin Place. 5 of the moped stalls are somewhat protected from the weather underneath the upper floors of the building.

**Entries and Openings-** There are two main entrances to the building along North Frances Street, one for the commercial space, and the other for the residential tower. Residents can also enter at the back of the building, where stairs and a bicycle ramp lead down to the bike parking area. On all but the north facade, the building has a very high proportion of window openings on all levels. The north facade has fewer windows, due to its proximity to the side property line. This facade, which is highly visible from the north, has improved greatly throughout the review process.

**Exterior Materials-** Exterior materials consist primarily of light brown brick, metal panels, and glass, with a cast stone element at the base of the building spanning along the commercial space and up three stories. This element involves a one-foot change in plane from the brick surrounding it, so as to provide at least minimal articulation

**Usable Open Space-** Usable open space provided is limited to the private balconies associated with each unit and the eleventh floor rooftop balcony, which is accessible to all tenants.

**Landscaping and Stormwater Management-** The footprint of the building and parking area occupy almost the entire lot and leave virtually no room for any landscaping on the site, and none is proposed. Most recent plans show a small portion of the roof as a green roof element, although no details have been provided to date. This is the only landscaping on the property, and may also represent capacity for a small amount of on-site stormwater management. As with the existing site, most stormwater runoff will utilize the public storm sewer.

### **Public Input**

The proposal was presented twice to a joint steering committee comprised of members of Capitol Neighborhoods Inc. Mifflin/Bassett area and the State/Langdon Neighborhood Association. Staff attended the second meeting on November 13, where the project was generally well-received. Comments and concerns focused mostly on ensuring that the project could support the requested density on the site, but also included a suggestion to incorporate motion lights in the stairwells, so that the north facade of the building is not perpetually lighted at night (see attached meeting minutes).

## **Evaluation**

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### **Demolition**

While they are very old (constructed in the late 1800s), the existing homes were not noted by the Landmarks Commission or the Historic Preservation Planner to have any unique or specific historic value. They are in fair, livable condition, but lie within a redeveloping area near the southeast edge of the UW-Madison Campus, and are anticipated to be replaced at some point in the future with a contemporary residential or mixed use building.

### **Consistency with Adopted Plans**

The proposed use is generally consistent with the Downtown Plan (2012), which recommends Downtown Mixed-Use at a maximum height of twelve stories. Specific discussion on the Johnson Street Bend area, within which this property lies, notes that the area has a critical need for public open space just to meet the needs of its current residents (let alone additional residents in high density projects such as this one). Specific objectives and recommendations for this area are as follows:

#### **Objective 4.5**

*The Johnson Street Bend area should continue as a primarily higher density student residential area mixed with some new neighborhood serving retail uses. Underutilized parcels should transition to more intense development with a particular emphasis on creating active and engaging street frontages and quasi-public spaces. Linkages to adjacent areas, including parks and open spaces, should be enhanced.*

#### **Recommendation 72**

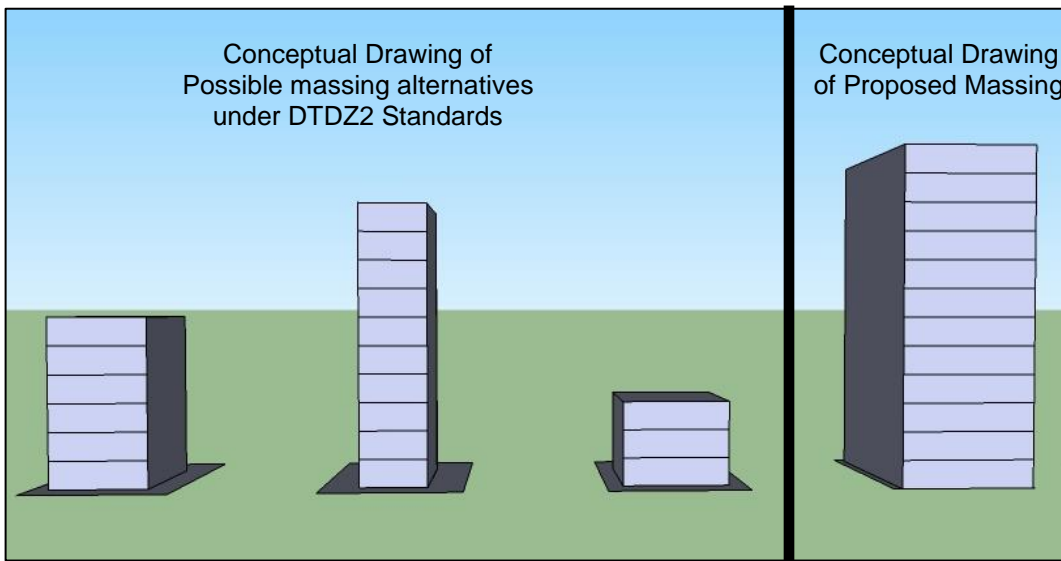
*Update the Downtown Design Zone standards for the Johnson Street Bend area and incorporate them into the Zoning Ordinance.*

Staff believes that while the proposed use is consistent with the Plan, it does not further Objective 4.5, as it maintains no quasi-public space in front of the building for urban amenities such as raised planters, bicycle parking, and simply a wider sidewalk for this important pedestrian corridor. Recommendation 72 provides support to revisit and update bulk standards (setbacks are most pertinent to this project) to be included in the new Zoning Code. This process was not accomplished prior to adoption of the new Zoning Code, but is anticipated to take place shortly after the new code becomes effective in January, 2013.

### **Building Bulk and Placement**

The proposed building fails to meet any of the building placement (setback) requirements for Downtown Design Zone 2, as shown in the table and figure on the following page. The proposed twelve stories could only be approved if the design criterion for bonus stories are met, and, as will be covered later in the report, staff does not believe it is.

	<b>DTDZ 2 Requirement</b>	<b>Proposed</b>
Max. Floor Area Ratio	6.0	9.1 <i>(Exceeds Maximum by 50%)</i>
# Stories	10 + 2, if additional design criteria are met	12 <i>(Does not meet design criteria)</i>
Front Yard Setback	15'	0' <i>(Inadequate by 15 feet)</i>
Rear Yard Setback	25'	5' <i>(Inadequate by 20 feet)</i>
Side Yard Setback	1 side yard must be 6', + 2' total side yard per story over one. <b>(28' total for 12-story bldg)</b> <b>(8' total for 2-story bldg)</b>	3.5' north side 1.5' south side <b>5' total</b> <i>(Inadequate by 23 feet)</i>



As of late this year, the zoning ordinance has been amended to allow for proposals to seek relief from the Downtown Design Zone bulk standards, so long as a proposal is consistent with the Downtown Plan. When this change was made to the ordinance, the intent was to allow slight deviations from the bulk standards, rather than altogether eliminating them, which this proposal seems to do. This twelve-story building almost covers the entire property, with only a slight stepback above the tenth floor for a rooftop balcony. The rear of the building maintains a 10 foot rear yard on the ground floor, but the second through twelfth floors protrude five feet further back. While this feature will be virtually invisible to passersby, it is worth pointing out that it would not be consistent with the adopted UMX (Urban Mixed-Use) zoning for this property, which, even as one of the City's highest intensity districts, requires a 10 foot rear yard. Staff believes that the proposal is completely maxing out the property, and that, if approved, would set a concerning precedent for other properties in this area.

**Residential Density and Unit Mix**

The proposed density is 365 dwelling units per acre (845 bedrooms per acre), which is far greater than any recently approved project in this very dense area of the city, as shown in the table below.

Address	Name	Units	BR	Acres	DU/ac	BR/ac
515 University	LaCiel	89	198	0.69	130	289
1001 University	X01	80	246	0.45	177	545
437 W Gorham	Aberdeen	77	244	0.37	209	664
409 W Gorham	Equinox	115	327	0.51	226	642
535 W Johnson	Palisade	93	249	0.40	231	619
1022 W Johnson	Grand Central	155	397	0.64	242	619
505 University	Embassy	126	282	0.39	327	732
<b>313-315 N Frances</b>	<b>Proposal</b>	<b>42</b>	<b>97</b>	<b>0.11</b>	<b>365</b>	<b>845</b>

While the residential density alone may not be an issue at this location, density must be well accommodated by the design of the site, the massing and design of the building and the management plan. In apartments built for the student market in this area, tenants must be well-supported by amenities such as ample parking (in this case, bicycle and moped parking), laundry and storage facilities, and common areas. Move-in/move-out days, waste management, and any rules for tenants in the leases must be very well planned and executed. Finally, the building – exterior and interior – must be durably designed to withstand frequent turnover, and for mixed-use buildings like this one, must also accommodate employees, customers, and visitors. With this proposal, nearly all outdoor activity related to the building (circulation, entering and exiting, loading, etc.), would take place within the public right-of-way

The applicant has made slight changes to better accommodate the proposed density throughout the review process. A study room and rooftop balcony have been added on the eleventh floor, four bicycle stalls have been added on the exterior of the building for visitors and customers, every bedroom with one exception now has a window, and there are nine small storage lockers which can serve the needs of a few of the tenants.

After careful review, however, staff cannot conclude that the proposed building on this small site (5,000 square feet the size of a small to moderate single-family property) can successfully accommodate the 97 residential tenants, the commercial tenant, and visitors. If approved at this location, staff is concerned that the precedent set by this development could lead to others in this area and beyond that do not sufficiently serve their inhabitants with a high-quality, durable living environment. This would be contrary to the objective for the future of this area articulated in the Downtown Plan adopted in July 2012. The design guidelines for development in Downtown Design Zones related to *Site Design and Function* and *Interior Building Design* are very helpful, and should be carefully considered by the Plan Commission in reaching their decision (see pp. 8-14 of this report).

## **Exterior and Interior Design Criteria for PUD Districts in Downtown Design Zones-**

### **Statement of Purpose**

*The Design Criteria serve to articulate community design principles, guidelines, and standards for Planned Unit Developments (PUDs) in the near-campus Design Zones with the goal of enhancing the community's overall value and appearance. These criteria reflect the fact that the general development density and intensity of occupancy are expected to be relatively high in these Design Zones compared to other locations in the City. PUDs that have residential components may be considered which are significantly larger, taller, and more massive than would be allowed in the underlying zoning districts. Because it is recognized that design professionals, including architects, landscape architects, and land planners, are trained to strive for creative excellence, the design criteria are not intended to restrict creative solutions or to dictate design.*

*These criteria will serve as a tool for City staff, the UDC, and the Plan Commission by providing a checklist of the primary elements to be considered when reviewing such PUD requests. This will also inform the design professionals of items that should be considered from the beginning of the design process. These standards will be used in addition to the standards in the zoning code which guide the review of PUD requests. The requirements described in Section 28.07(6)(e) are intended to be the outer limits of what will be considered through this PUD process. The review process for the overall design of the proposed building shall consider the requirements in Section 28.07(6)(e), the Criteria for Approval in Section 28.07(6)(f), and the design criteria described herein.*

### **Exterior Building Design**

*Exterior design criteria were developed to ensure that such buildings are compatible on a City, neighborhood, and block level; have a pedestrian orientation; and have a design that reflects the residential use of the structure. The following criteria are guidelines for evaluating design of the proposed project.*

*1) Massing. The proportions and relationships of the various architectural components of the building should be utilized to ensure compatibility with the scale of other buildings in the vicinity. Appropriate transitions should be provided where a change in scale is needed to ensure this compatibility. Larger buildings should have their mass broken up to avoid being out of scale with their surroundings and to provide a more pedestrian-friendly quality. Stepping back the upper floors of the street facades a substantial distance from lower floors may be appropriate to achieve this quality. The shape of the building should not detract from or dominate the surrounding area.*

Staff do not believe this criterion is met when the proposed building is compared with the existing three and one-story buildings to the north and the single-family homes to the south, interior to the block. However, the mass of the building would fit in fairly well with the Fluno Center across the street to the west and the Saxony Apartments to the south. Further, if other surrounding properties, especially those to the north, were to redevelop at a similar height and hide most of the north facade of the proposed building, it could fit in better from a bulk and mass perspective.

This design criterion focuses on compatibility, and assumes that the bulk standards for Downtown Design Zones have been met. In this case, the required yards and maximum floor-area-ratio in Downtown Design Zone 2 have been completely disregarded. As such, regardless of its level of *compatibility* with the surrounding buildings, staff believe that the proposed building mass is too much for this small property.



2) Orientation. *Buildings create and define the public space (streets and sidewalks) and how the building faces this public way is important. Any building facade adjacent to a street should be oriented toward and engage the street. Buildings should respect the orientation of surrounding buildings, existing pedestrian paths and sidewalks, and the orientation of surrounding streets.*

Staff believe that this criterion is met, in that the building faces and frames North Frances Street. However, as proposed, the building provides no quasi-public space in front, which would be an asset within this heavily traveled pedestrian corridor. Instead, it is essentially a ten story facade adjacent to the five-foot wide public sidewalk, with a very small stepback on the upper two levels.

3) Building Components. *The building should have an identifiable base, body, and cap. The design and detailing of the base are critical to defining the public space, engaging the street, and creating an interesting pedestrian environment. Lower levels should be sufficiently detailed to ground the building. The top of the building should be clearly defined through treatments such as cornices or non-flat roof elements where appropriate. The middle of the building should provide a transition between the top and the base. Mechanical equipment (including rooftop) should be architecturally screened.*

Staff believe that this criterion is met in the most recent plans, which include an improved screening of the rooftop mechanical equipment.

4) Articulation. *Well-articulated buildings add architectural interest and variety to the massing of a building and help break up long, monotonous facades. A variety of elements should be incorporated into the design of the building to provide sufficient articulation of the facades. This may be achieved by having a variety in the mix of unit size and layout, or changes in floor levels, be reflected in the exterior of the building. This may also be achieved by incorporating the use of: vertical and/or horizontal reveals, stepbacks, modulation, projections, and three dimensional detail between surface planes to create shadow lines and break up flat surface areas. If large blank surfaces are proposed, they should be for some compelling design purpose, and the design should incorporate mitigating features to enrich the appearance of the project and provide a sense of human scale at the ground level that is inviting to the public.*

For a building this narrow, staff believes that the articulation sufficiently meets this criterion. It has largely been addressed with changes in materials, a slight protrusion of the first three floors of the building with a stone exterior, and a stepback of the building on the eleventh floor.

5) Openings. *The size and rhythm of openings (windows, doors, etc.) in a building should respect those established by existing buildings in the area and the residential and/or mixed-use nature of the building. The street facade should incorporate a sufficient number of windows, doors, balconies, and other opportunities for occupant surveillance of public areas. Visibility should be provided to areas accessed when entering or exiting a building. Lower floor facades should be more transparent and open than upper floors to provide a more detailed and human scaled architectural expression along the sidewalk. Window glass should have a high degree of transparency and should not be dark or reflective. Garage doors should not be visible from the street. If a design is proposed in which garage doors (or other service openings) are visible from the street, they should be sufficiently detailed and integrated into the building.*

Staff believe that this criterion is met.

6) Materials. *A variety of materials should be utilized to provide visual interest to the building. Colors and materials should be selected for compatibility with the site and the neighboring area. All sides of a structure should exhibit design continuity and be finished with quality materials. Materials should be those typically found in urban settings. Durable, low-maintenance materials should be used—particularly on surfaces close to the street.*

Staff believe that this criterion is met.

7) Entry Treatment. Buildings with obvious entrances contribute to the definition of the public way and promote a strong pedestrian feel along the street. The building should have at least one clearly-defined primary entrance oriented towards the street. Entrances should be sized and articulated in proportion to the scale of the building. This may be achieved through the utilization of architectural elements such as: lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, and others, where appropriate. Any such element utilized should be architecturally compatible with the style, materials, colors, and details of the building as a whole, as shall the doors.

This criterion is generally met, but the two front entrances to the building could be made more prominent and more consistent with one another in a refined design. If this proposal is approved, the Urban Design Commission should pay careful attention to this detail in their review.

8) Terminal Views and Highly-Visible Corners. The design of buildings occupying sites located at the end of a street, on a highly-visible corner, or in other prominent view sheds should reflect the prominence of the site. Particular attention should be paid to views from these perspectives and the structures should be treated as focal points by demonstrating a higher degree of architectural embellishments, such as corner towers, to emphasize their location.

Staff believe this criterion has been met in the most recent iteration of the proposal. The building is highly visible from University Avenue, and by pedestrians and vehicles travelling along North Frances Street. The north facade of the building has fewer openings than others due to its proximity to the side property line, but has improved significantly, with approximately twice the proportion of windows as were shown in the original proposal.

9) Additional Criteria for Bonus Stories in Downtown Design Zone 2. Pursuant to Section 28.07(e)2.a, a structure may be allowed to have up to two additional stories (a maximum of 12 total stories), should it be determined that allowing such a bonus would result in a building design that makes an extraordinary contribution to the architecture of the area and the city as a whole. The bonus stories should serve as an incentive to creative building design, and not be viewed as the "permitted" height/ This provision is intended to allow for increased design flexibility and not to simply allow for a bigger building. The bonus story(ies) should be stepped back and less massive than the floors below. The intent is to encourage buildings that appear less bulky at the top and provide more visual interest to the skyline. The appropriateness of allowing any bonus stories is at the sole discretion of the Urban Design Commission and Plan Commission.

Staff do not believe that this criterion can be met with this or a similar proposal, which is simply a twelve story building covering nearly the entire, very small property. Staff appreciates the slight changes that have been made to the proposal to try to improve the project, and while the building exterior is generally well-designed, staff do not believe that it is necessarily an extraordinary contribution to the area or the city as a whole, as this criterion requires.

In order to put forward a financially feasible project using high-rise construction methods on this very small site, the applicant has virtually eliminated all setbacks and other bulk standards in the Downtown Design Zones, and is requesting two additional stories. Only basic on-site amenities for the 97 students who would be living here are provided, and the building design does not further the objective in the Downtown Plan related to active and engaging street frontages. While the upper two stories are stepped back slightly from the stories below, this is still essentially a twelve story building utilizing nearly the entire site.

On a much larger property, an applicant might successfully advocate for a twelve story building if a significant amount of open space or a quasi-public area along Frances Street were to be provided on the property. On this 5,000 square foot property, it is difficult to find ways to truly meet this criterion.

### **Site Design / Function**

*1) Semi-Public Spaces. The space between the front facade of the building and the public sidewalk is an important transition area. It can vary in size, but should be thoughtfully considered with a variety of textures in ground treatment—particularly the area around the entryway. The emphasis should be on an urban landscape, incorporating elements such as raised planters, which could also be used as seating, street furniture, lighting, and landscape materials. These features should be architecturally compatible with the styles, materials and colors of the principal building on the lot and those in the immediate area.*

Staff do not believe this criterion is be met as proposed. The building is basically proposed on the property line, with no space for ground treatment, landscaping, or bicycle parking. Even the public terrace in this area is relatively narrow, which further exacerbates the fact that there is no hardscaped area between the building and the sidewalk.

*2) Landscaping. Landscaping should be integrated with other functional and ornamental site and building design elements, and should reinforce the overall character of the area. Landscaping can be effective in reducing the massiveness of a building and in creating a more inviting pedestrian environment. Landscaping should be provided in the front where the building meets the ground as appropriate in the context (maybe trees or planters depending on the setbacks, shape and size of the building) to anchor building to the ground and soften the edge. Plants should be selected based on their compatibility with site and construction features. Ease of maintenance should also be considered.*

Staff do not believe this criterion is met. As proposed, there is not space on the property for meaningful landscaped areas. With the relatively narrow sidewalk and terrace, setting back at least a portion of the building from the front property line could allow for some planter walls or other landscaped treatment. Likewise, the virtual lack of any setbacks precludes other landscaping on the site. The proposed green roof element, which appears in the most recent iteration of the plans, but would be the only landscaping on the site, and details for this element have not yet been submitted.

*3) Lighting. Exterior lighting should be designed to coordinate with the building architecture and landscaping. Building-mounted fixtures should be compatible with the building facades. Exterior lighting levels should not be excessive and should provide even light distribution. Areas around the entryways should be lit sufficiently. Overall lighting levels should be consistent with the character and intensity of existing lighting in the area surrounding the project site.*

Lighting plans have not yet been submitted. If this proposal is approved, the Urban Design Commission should pay careful attention to this detail in their review.

### **Interior Building Design**

*The criteria for determining the acceptability of a residential planned unit development within the Downtown Design Zones recognize the particular importance of building layout, functionality, interior design, and general level of amenity in ensuring that the living environment provided will be attractive, desirable and practical in an area where the intensity of development is relatively high, many potential development sites are relatively constrained in size and limited in configuration, and opportunities for on-site features and amenities outside the building envelope may be necessarily limited. Relevant factors for consideration include:*

*1) Mix of Dwelling Unit Types. A variety of dwelling unit types, as defined by the number of bedrooms per unit, should be available within the project. There should not be an over-concentration of either very small (efficiency and one bedroom) or very large (four or more bedrooms) units so as to maintain residential choice and provide flexibility for shifts in housing market demand.*

Staff believe that this criterion is met.

2) Dwelling Unit Size, Type and Layout. The size and layout of each dwelling unit shall be adequate to allow for reasonably efficient placement of furniture to serve the needs of the occupants and create reasonable circulation patterns within the unit.

a) The sizes of bedrooms within the dwelling units should be designed to discourage multiple occupancy of bedrooms when that would result in more than five unrelated individuals living in a unit (the maximum occupancy allowed in the R5 General Residence District). The bedroom sizes should not be large enough to encourage multiple occupancy in units with three or more bedrooms. To the extent compatible with this consideration, having at least one bedroom in each unit sufficiently large for double occupancy makes the unit more suitable for households that include a couple.

b) The size and design of the living room within each unit shall reflect and be adequate for the intended number of occupants of the unit. It is generally expected that the living area be capable of comfortably seating at least the number of residents expected to occupy the unit; however, appropriate size shall be determined as part of the overall project review.

Staff is unsure whether this criterion is met generally, and does not believe it is met in the four-bedroom and five-bedroom units on the twelfth floor.

Overall, the units as proposed have an average of 371 square feet per bedroom, which is typical for student housing. All 97 bedrooms are roughly 100 square feet, which is appropriately sized for single occupancy. A majority of the units, while small, may have ample living and dining space to serve the tenants, but without seeing the furnishings, it is difficult to conclude that some of the spaces will lay out efficiently with living room seating and barstools and/or dining tables. Importantly, the four and five-bedroom units on the twelfth floor have common areas sized the same as the smaller units, which will likely prove to be too tight.

Staff recommends that the applicant show how living and dining areas will be laid out such that the number of tenants in each unit can sit comfortably. If the number of occupants cannot be accommodated in the common areas, particularly in the larger units on the twelfth floor, staff recommends reducing the number of bedrooms so as to increase the common area. By doing this, the twelfth floor bedroom currently shown without a window could also be eliminated.

Another issue of concern for all units is a lack of storage spaces within the units themselves. Aside from the small (usually two by four foot) closet spaces in the bedrooms, there are no common closets or pantries in the units for storage of coats, linens, food, and other items. Since the original submittal, the applicant has incorporated a few separate storage units outside of the units, which would presumably be for long term storage of items for a small proportion of the tenants. However, the in-unit storage areas are lacking, and not up to par with recently approved student housing projects.

3) Interior Entryway. The interior entryway should create an inviting appearance and, when feasible, should include a lobby or similar area where visitors or persons making deliveries can wait. The entryway should be sufficiently transparent to see into or out of the building when entering or leaving.

Staff believe that this criterion is met. The small lobby area provided inside the residential entrance is visible from the street, and can include two chairs and a small table to accommodate persons making deliveries, visitors, or tenants waiting for a ride.

4) Usable Open Space. Project designs should provide attractive, safe and creatively designed yards, courtyards, plazas, sitting areas or other similar open spaces for building residents. Usable open space on balconies or roof decks may be provided as long as they are sufficiently large (a suggested minimum size for a balcony is 4 feet by 8 feet) and are provided or accessible to all residents. Usable open space on roof decks at lower elevations is preferred to rooftops. At some locations, side and rear yards sufficient to provide usable open space may be limited, and outdoor open space may not represent the most beneficial use of a limited site when the overall density of development is relatively high. Common recreational

*facilities and social activity spaces in the development may be considered toward meeting the need for usable open space.*

While there is no at-grade usable open space, the balconies provided for each unit are usable, at a typical size of about 50 square feet (slightly smaller for the one and two-bedroom units, and slightly larger for units with three or more bedrooms).

In addition, a small rooftop terrace area, a portion of which is protected from the elements, is proposed for common use on the eleventh floor. An interior common “study room” is also provided on the eleventh floor for shared use.

*5) Trash Storage. The trash storage area for the building should be located where it is reasonably accessible to the residents, as well as to disposal pick-up crews. In general, it is recommended that the trash storage area be located within the building footprint. Trash storage areas shall not be located in building front yards. Trash storage areas at any location shall be adequately screened to preserve an attractive appearance from the buildings on the site, from adjacent buildings and uses, and from public streets and walkways.*

Staff believes that this criterion is met with regard to the *location* of the trash area and its impact on the design of the building, but questions whether the space provided will adequately serve the commercial and residential tenants. The trash storage area is located completely inside the building, accessible through a small overhead access door on the rear of the building. However, the area is quite small, and will likely require frequent pick-ups, especially if the commercial tenant generates a heavy volume of trash. Site plans do not indicate whether or not a trash compactor is proposed, but it is strongly encouraged. Residential tenants can utilize a common trash chute accessible on each level to dispose of their trash bags.

Recycling details have not been provided at this time, but it appears as though there is insufficient space to provide a recycling chute without an adjustment to the floor plans on every level of the building, and insufficient space in the trash storage area for recycling. Staff recommends that the applicant either make adjustments to provide a chute for recyclables, or provide more information in the Management Plan to ensure that tenants will have a convenient way to recycle on-site.

*6) Off Street Loading. Adequate off-street loading areas shall be provided, as specified in Section 28.11. The Plan Commission may consider arrangements to provide off-street loading and access from adjoining properties to satisfy the requirement provided that continued use of these arrangements is assured. For all residential developments where the off-street loading area is not adequate to accommodate the anticipated needs of residents moving into or out of the dwelling units, and in particular when significant numbers of residents are expected to want to make these moves within the same limited time period (as with student-oriented housing), a specific resident move-in plan shall also be submitted with the application for a residential development in a Downtown Design Zone describing in detail how the moving needs of residents will be accommodated without creating congestion or traffic problems on public streets or unauthorized use of parking and loading areas that are not part of the development.*

Staff does not believe that this criterion is sufficiently addressed, as there is only a single loading space behind the building, and no known arrangements with nearby property owners for move-in and move-out days. Traffic Engineering staff is very concerned that the lack of a building setback to allow for a loading space along North Frances Street or Conklin Place will result in periodic blockages of these streets. To alleviate the loading issue, the management plan does state that units will be furnished. Further, move-in days will be carefully coordinated, staffed by two people from the management company, and staggered on a per-floor basis.

7) Resident Parking.

a) Vehicles. *The adequacy of provisions for the off-street parking of residents' motor vehicles shall be evaluated as part of the review of the specific development plan. The Plan Commission may consider the likelihood that the types of residents expected will need or desire to keep private motor vehicles, the particular constraints of the development site and the resulting trade-off between the amount of parking provided and other potential site or building amenities, as well as alternate arrangements provided to accommodate the parking needs of residents, such as, provision of leased parking spaces at another location. Inadequate on-site parking may result in restrictions on residential eligibility to obtain Residential Street Parking Permits. Underground parking is preferred to surface parking lots.*

b) Bicycles. *Adequate on-site bicycle parking shall be provided to meet the needs of all the residents and users of the developments, as provided by Section 28.11(3)(e). Bicycle parking may be shared or assigned to individual dwelling units and should be located where it is reasonably convenient to the residents and to the public street system. It is recommended that at least some bicycle parking should be provided inside the building or in another location protected from the weather. If it is intended or anticipated that residents will store bicycles within individual dwelling units, the design of the units shall include provision for this storage, and hallways, elevators, and other building features shall be appropriately designed to facilitate the transport of bicycles to and from the units.*

c) Mopeds. *Adequate parking for mopeds should be provided to meet the needs of the residents. Indoor parking spaces should be provided within the parking area provided for other motor vehicles. Outdoor parking for mopeds may be provided within the parking area provided for other motor vehicles or within bicycle parking areas. Mopeds shall not be kept inside the building except within designated moped or motor vehicle parking areas.*

Staff questions whether or not this criterion is adequately addressed, or can be, particularly with regard to moped parking for tenants and bicycle parking for visitors to the site.

A lack of automobile parking is becoming typical for student housing projects, although in most cases there are a few usable short-term parking spaces for loading, drop-off, pick-up, etc. In this case, the single loading space provided in this proposal is behind the building. The applicant has noted that there are nearby parking garages with the ability for tenants to purchase monthly passes, if they do have cars.

In this case, 94 bicycle parking stalls are located inside the basement of the building to serve the residential tenants and commercial employees. The 42 standard two foot by six foot bicycle stalls provided meet the *one-stall per unit* standard expected for PUDs, and the additional 52 stalls are in vertical racks, typically used for long-term storage. The total bicycle parking provided in the basement falls short of the *one-stall per bedroom* expected of PUDs. Only four exterior bicycle stalls are provided on the site for use by short-term visitors and commercial customers, and these are on the side of the building facing Conklin Place, rather than near the front entrances to the building.

The eight moped stalls behind the building will serve only 9% of the tenants (one of these stalls appears that it overlaps with the turning movement of a truck using the proposed loading zone behind the first floor of the building). Staff believes that the proposed moped parking will likely result in mopeds being placed in the public right of way in front, on the side, or behind the building, or perhaps on nearby properties. However, the moped parking provided may be adequate if it is priced as part of the lease, assigned to specific tenants, and if the leases clearly state that moped parking shall not occur elsewhere on the site. The applicant has revised the management plan to state that all moped parking will be assigned, and any mopeds on the property without required stickers will be ticketed and removed as necessary. This partially addresses the issue, but not with regard to mopeds that might be placed on nearby properties or within the public right-of-way.

8) ***Building Security and Management.** Building security and adequate resident access to building management shall be provided as necessary to ensure the safety of residents and to protect them from excessive noise and other nuisances that might be created in and around the premises. Depending upon the size of the building, intensity of occupancy, and type of residents anticipated, adequate security might also require on-site management. A management plan shall be submitted with each application for a residential development in a Downtown Design Zone describing in detail how the necessary security and access to management will be provided. The Plan Commission shall retain continuing jurisdiction over the management plan, and in the event that security problems occur in the future, the Plan Commission may review the management plan and may require that additional actions be taken by the building owner to address specific problems or deficiencies determined to exist.*

Staff believes that this criterion is met with regard to building security.

### **Criteria for Approval of Planned Unit Development Zoning**

As outlined below, staff does not believe that all of the criteria for Planned Unit Development zoning have been met with the proposal.

#### **MGO Section 28.07(6)(f) - PUD Criteria for Approval**

**1) Character and Intensity of Land Use-** Staff believes that the proposed building is generally compatible with this redeveloping area, but that the proposed use – 97 student tenants and a commercial space – is simply too intense for this small property. The property has insufficient space for moped parking, and staff is concerned that this will result in mopeds parked in adjacent public rights of way. The units themselves, particularly those with three or more bedrooms, have insufficient space for storage of basic items such as coats and food, and the largest units have very small living and dining spaces.

The main issue, as was discussed on pages 5-7 of the report, is that the proposed building would occupy virtually the entire property. With the proposed bulk and massing, there are no semi-public spaces, inadequate parking and loading space, and inadequate space for normal pedestrian circulation, except within the public right-of-way, which includes an already narrow public sidewalk in front of the site.

**2) Economic Impact-** The applicant is not requesting any public subsidy, and the Economic Development Division notes that the proposal would add multiple millions of dollars to the tax base.

**3) Preservation and Maintenance of Open Space-** The only open spaces provided on the site are private balconies and a shared rooftop deck above the tenth floor. There is no exterior quasi-public space between the sidewalk and the building for landscaping, bicycle parking for visitors, or other urban amenities.

**4) Implementation Schedule-** This is proposed as a single project, rather than a phased project, so this criterion is not as applicable as others.

### **Comparison with New Zoning Code**

As detailed above, staff does not believe that the standards and criteria for PUDs in Downtown Design Zone 2 can be met with the proposal. While the Plan Commission and Common Council should focus their review of the project on these standards and criteria, it is worth noting the results of a comparison with the new zoning code for informational purposes.

In the zoning code adopted on October 16, 2012, this property is designated within the Urban Mixed Use (UMX) District, which is one of the most permissive zoning districts. While staff has not done a thorough review of the proposal against the UMX District, it would come close, but not meet, all

requirements of the district. The rear yard is inadequate (a rear yard conforming to the 10 foot requirement in the UMX district would likely result in a loss of several bedrooms to this proposal), and the number of standard bicycle parking stalls provided are among the insufficiencies.

Aside from the absolute requirements, all significant development in the UMX District will be reviewed as a conditional use and will include design review by the Urban Design Commission against the Downtown Urban Design Guidelines. Staff suggests that many of the concerns related to intensity of the land use for this small site would surface during conditional use review. Finally, staff does not believe the proposal would be supportable as a Planned Development in the new code. Rather, if this were to be proposed in the near future, staff would strongly recommend that the applicant simply meet the (very flexible) UMX requirements.

## **Conclusion**

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After careful consideration of the standards for zoning map amendments, the PUD criteria, and the design criteria for Downtown Design Zones, staff does not support the proposal in its current form. The proposed building has a greater residential density than any other project in this area, which is the densest area of the city. However, this issue could be surmountable if the proposal – the building interior, exterior, and site function - could come closer to meeting the design criteria for Downtown Design Zones. Staff does not believe that several of the criteria have been met, as detailed in the report.

Recent ordinance changes allow Planned Unit Development proposals to seek relief from the bulk requirements in Downtown Design Zones if projects are consistent with the Downtown Plan (and can meet otherwise meet the design criteria for Downtown Design Zones). This proposal significantly exceeds every bulk requirement, and while the proposed use is generally consistent with the Plan, staff does not believe that it furthers Downtown Plan Objective 4.5, as detailed in the report.

Staff does not believe that this proposal is an appropriate model to guide further redevelopment of this area. If this project, which has virtually no setbacks on any side, is approved and its density replicated on other nearby properties, the result could be a redevelopment pattern in this area that is not functional or desirable. It is worth noting that one might conclude that other recent redevelopments in this area, which have all been approved at lesser densities, are not exemplary, and that many have resulted in negative externalities associated with parking and loading needs. If the Plan Commission seriously considers approval of this request, staff recommends that the decision be referred to a future meeting so as to allow time to tour the site and surrounding neighborhood. While the exterior of this particular building may look better than some of the others in the area, the proposed density is not sufficiently supported by the small site or the interior details of the building.

Finally, while the Plan Commission should focus their recommendation on whether or not the proposal meets current standards, it is again important to note that the proposal would not even meet the very flexible UMX Zoning District bulk standards. If, in the future, the proposal is changed to meet these standards, the Urban Design Commission could again evaluate the design, and the Plan Commission could evaluate whether or not the revised proposal meets the conditional use standards for new development in the UMX District.

The Planning Division recommends that the Plan Commission find that standards for demolition approval and rezoning to PUD-SIP (Planned Unit Development-Specific Implementation Plan) cannot be met, and forward this request to the December 11 meeting of the Common Council with a recommendation to **place the proposal on file without prejudice**. Alternatively, should the Plan Commission recommend approval of the proposal, they should do so subject to input at the public hearing and the following conditions from reviewing agencies.



## **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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### **Planning Division Recommendation**

The Planning Division recommends that the Plan Commission find that standards for demolition approval and rezoning to PUD-SIP (Planned Unit Development-Specific Implementation Plan) cannot be met, and forward this request to the December 11 meeting of the Common Council with a recommendation to **place the proposal on file without prejudice**. Alternatively, should the Plan Commission recommend approval of the proposal, they should do so subject to input at the public hearing and the following conditions from reviewing agencies.

### **Planning Division** (Contact Heather Stouder, 266-5974)

1. The applicant shall revise the zoning text to limit occupancy to one tenant per bedroom.
2. The management plan shall be revised and submitted to staff for review and approval with the following revisions:
  - a) Detail on how recycling will be handled within the building. The applicant is strongly encouraged to incorporate a second chute for recyclables, so that they are collected within the first floor trash management area.
  - b) Detail on how the management company will ensure that mopeds are parked solely in designated spaces in the underground parking area, and not elsewhere on the property.
  - c) Detail on how employees for the commercial space will access the secure bicycle parking area, so that the four stalls on the exterior of the building will be reserved for use by visitors and customers.
3. The applicant shall provide a revised twelfth floor plan for staff review and approval to include an example layout of living and dining area furniture to demonstrate that the four and five-bedroom units can adequately accommodate the number of tenants intended for each unit. In the revised floor plan, all bedrooms shall have a window.
4. The applicant shall provide revised floor plans to include common closet spaces in all units with over two bedrooms.
5. Prior to the Common Council hearing for this project, the applicant shall obtain final approval for the design from the Urban Design Commission. In making their finding, the Urban Design Commission shall pay close attention to the following details (not yet provided to staff) as they pertain to the Design Criteria in Downtown Design Zones.
  - a) Landscaping (details pertaining to the green roof element).
  - b) Lighting

### **Zoning Administrator** (Contact Pat Anderson, 266-5978)

6. Provide a reuse and recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
7. MGO Section 28.12(12)(e) requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.

8. Bike parking shall comply with MGO Section 28.11. Provide 99 bike parking stalls (one per bedroom) in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Moped parking must also be shown, if provided.
9. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
10. In the Zoning Text, revise the signage to be allowed as per MGO Chapter 31 as compared to the R6 District.
11. Identify usable open space areas and area calculations when the PUD(SIP) is submitted for final review and approval by staff.
12. Put addresses of the building and number of units on the final plan sets, pursuant to MGO Section 10.34(2). Address information can be obtained from Lori Zenchenko of City Engineering at (608)266-5952.
13. Include elevations of the building as part of final plan submittal.

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

14. A direct connection to storm sewer on the west side of Frances Street will be required for roof drainage per a design approved by the City Engineer.
  15. Applicant shall revise the sanitary sewer lateral to be a 6" diameter lateral. If an 8" diameter lateral is requested it will require the connection to be made at a manhole (either at an existing manhole or a new manhole).
  16. Sewer plugs for lateral abandonment after January 1, 2013 shall be by City crews with applicant paying costs for the service.
  17. The Applicant shall provide additional information on the staging and storage for the construction of the building and how that will impact the public right of way.
  18. It is anticipated that Conklin Place will need to be repaved adjacent to the development due to construction related activities. If the entire length of Conklin Place is used for hauling, any damage to the public infrastructure that is caused by the construction activities shall be responsibility of the Developer to repair.
  19. The pending Certified Survey Map for this property shall be completed and recorded with the Register of Deeds (ROD). When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.
  20. In accordance with 10.34 MGO – STREET NUMBERS - Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko (Lzenchenko@cityofmadison.com ) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
21. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City /

Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project (MGO 16.23(9)c).

22. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass (POLICY).
23. The approval of this PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester (MGO 16.23(9)(d)(6)).
24. 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 (POLICY).
25. 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).
26. 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. (POLICY).
27. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5) and MGO 23.01.
28. All damage to the pavement on N. Frances Street, Conklin Place, and public alley 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).
29. The The site plans shall be revised to show the location of all rain gutter down spout discharges. (POLICY).
30. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used (POLICY and MGO 10.29).
31. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain 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 Misc Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) All Underlying Lot lines or parcel lines if unplatted
- g) Lot numbers or the words "unplatted"
- h) Lot/Plat dimensions
- i) Street names

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

NOTE: Email file transmissions preferred [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com) . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file (POLICY and MGO 37.09(2) & 37.05(4)).

32. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints.
  - b) Internal walkway areas.
  - c) Internal site parking areas.
  - d) Lot lines and right-of-way lines.
  - e) Street names.
  - f) Stormwater Management Facilities.
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
33. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction MGO 37.05(7). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
34. 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. \$100 non-refundable deposit will cover for the cost of inspection of the plugging by City staff; and the remaining \$900 will cover 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 (POLICY). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
35. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service (POLICY).

**Traffic Engineering Division** (Contact Dan McCormick, 267-8754)

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| 36. The lack of any building setback and loading zone on North Frances Street or Conklin Place will result in noticeable congestion and periodic blockages of Conklin Place & Frances Street. |
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**Water Utility** (Contact Dennis Cawley, 261-9243)

- 37. The Madison Water Utility shall be notified to remove the water meters prior to demolition.
- 38. This property is not in a wellhead protection district.
- 39. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Fire Department** (Contact Bill Sullivan, 266-4420)

40. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. Additional technical comments could be warranted as the design progresses.

- 41. Please consider allowing the Madison Fire Department to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities (608) 246-4587.

**Parks Divison** (Contact Kay Rutledge, 266-4714)

- 42. This development is within the Vilas-Brittingham impact fee district (SI27).
- 43. The developer shall pay approximately \$84,595.55 for park dedication and development fees for the new 42 MF unit building after a credit is given for the existing single family home and three-unit multi-family building currently located on the property. (See calculation of 2012 rates below. Rates will be higher if paid after 2012).

Fees in lieu of dedication = (42 mf @ \$1,631) =	\$68,502.00
Park development fees = (42 mf @ \$628.92) =	\$26,414.64
<b>Subtotal Fees =</b>	<b>\$94,916.64</b>
<b>Credit for Existing Development</b>	
Fees in lieu of dedication (1SF @ \$2,563 + 3MF @ \$1,631) =	\$ 7,456.00
Park development fees = (1SF @ \$978.33 + 3MF @ \$628.92) =	\$ 2,865.09
<b>Subtotal Credit =</b>	<b>\$10,321.09</b>
<b>Total Fees =</b>	<b>\$84,595.55</b>

- 44. The developer must select a method for payment of park fees before signoff on the SIP.
- 45. There is a need for public open space in this area; fees in lieu of dedication from this project and other projects in this area will be utilized to pursue acquisitions (via purchase and dedication) of land to help accomplish this goal.
- 46. 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.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.