

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
June 20, 2005

RE: I.D. # 01225: Zoning Map Amendment I.D. 3102 To Rezone 202 N. Charter Street from C1 (Limited Commercial District) to PUD-GDP-SIP

1. Requested Actions: Approval of a request to rezone 202 N. Charter Street from C1 (Limited Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a 71-unit apartment building with 2,700 square feet of first floor retail upon demolition of an existing two-story commercial building.
2. Applicable Regulations: Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12 (9) provides the process for zoning map amendments; Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits.
3. Report Drafted By: Timothy M. Parks, Planner, and other Planning Unit staff.

GENERAL INFORMATION

1. Applicant & Property owner: Bryce Armstrong, Trio Development, LLC (Dayton Charter, LLC); 448 W. Washington Avenue; Madison, Wisconsin 53703.

Agent: Rick Gilbertson, Potter Lawson, Inc.; 15 Ellis Potter Court; Madison, Wisconsin 53711
2. Development Schedule: The applicants will commence development as soon as all necessary approvals have been granted, with completion scheduled August 2006.
3. Location: Approximately 0.162 acres (approximately 7,050 square feet) located at the northwest corner of W. Dayton Street and N. Charter Street, Aldermanic District 8; Madison Metropolitan School District.
4. Existing Conditions: Two-story commercial building (former Milan's Sub Shop), zoned C1 (Limited Commercial District).
5. Proposed Land Use: One 71-unit apartment building with 2,700 square feet of first floor retail.
6. Surrounding Land Use and Zoning: The properties immediately surrounding the subject are included in the University of Wisconsin Campus. Wendt Library, Union South, Computer Science and Statistics are located west of the site; Zoology and Teacher Education to the

east; Atmospheric, Oceanic and Space Science, Geological Science and the east campus power plant to the south, and; the planned Institute for Discovery located to the north.

7. **Adopted Land Use Plan:** This area is identified as "Special Institutional" according to the 1988 Land Use Plan. The plan generally included the relatively small site with the rest of the UW Campus, which surround the property as noted above. Areas south of the campus and north of Regent Street that are not recommended for "Special Institutional" uses are recommended for "Residential, Medium Density – Mixed Unit District."
8. **Environmental Corridor Status:** The property is not located within a mapped environmental corridor.
9. **Public Utilities & Services:** The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the demolition standards of Section 28.04 (22) and the Planned Unit Development District standards.

ANALYSIS AND EVALUATION

The applicants are requesting approval to demolish a two-story commercial building located at the northwest corner of W. Dayton and N. Charter Streets to allow development of a 16-story tall, 71-unit apartment building with 2,700 square feet of first floor retail. The subject site is a 53-foot wide, 7,050 square-foot parcel zoned C1 that will be rezoned PUD-GDP-SIP to accommodate the proposed project.

Project Site and Surrounding Uses

The site is located at the northwest corner of W. Dayton Street and N. Charter Street and is developed with a two-story, gray-painted brick building that formerly housed Milan's Sub Shop on the first floor and eight boarding rooms on the second floor. The building is now vacant. The building extends along the length of the W. Dayton Street frontage, with parking for approximately ten automobiles in the rear of the building with access from N. Charter Street. A single part-time Wisconsin Southern Railroad line that crosses the campus area from east to west forms the northern boundary.

The area immediately surrounding the site is developed almost exclusively with University of Wisconsin facilities, with various campus buildings located along the north side of W. Dayton Street from N. Randall Avenue east to N. Mills Street. In addition, the site is directly across W. Dayton Street from the Geological Science Building, which has the Atmospheric, Oceanic and

Space Science Building to its west. The east campus power plant is located at the southeastern corner of Dayton and Charter. Other nearby university facilities include the Computer Science and Statistics Building located adjacent to the site on the west, and Wendt Library, Camp Randall Stadium and Union South located further to the west to N. Randall Avenue. Other nearby university buildings of note include the Chemistry buildings located a half block north at W. Johnson Street, and the Zoology and Teacher Education Buildings located to the east of the site at N. Mills Street. A surface parking lot, Lot 13, and two two-story frame structures (including one owned by the UW which is occupied by the Integrated Liberal Studies program) are located north of the railroad at W. Johnson Street, while a small, two-story private apartment building is located across N. Charter Street from the site.

The area extending south of W. Dayton Street to Regent Street is characterized by a wide mix of medium density private residential uses peppered with a small number of various UW facilities, primarily along N. Charter Street. The private residential sites in this area include converted frame structures containing two to four units to a number of newer two to four-story apartment buildings, including a number of these buildings along Spring Street and at N. Park Street and W. Dayton Street. In addition, a small number of five and seven-story structures have been built west of the site in the vicinity of Spring Street and N. Randall Avenue. A notable exception in the area is the eight-story Regent Apartments at the northwest corner of Randall and Regent Streets, which includes 241 dwelling units at a density of 108 units per acre.

As noted in the "General Information" section of the report, the subject site is identified as "Special Institutional" according to the 1988 Land Use Plan. No other City land use plans have been adopted for this area. The plan generally included the relatively small site with the rest of the UW Campus, which surrounds the property as noted above. Areas south of the campus and north of Regent Street that are not recommended for "Special Institutional" uses are recommended for "Residential, Medium Density - Mixed Unit District" under that plan.

Condition of Buildings Proposed for Demolition

The letter of intent characterizes the mixed-use structure "in a state of ill-repair" and calls the site "underutilized." Three photos of the building taken when it was still at least partially occupied, including the first floor sub shop, do not necessarily support this assertion, and no other documentation about the condition of the building was provided with the application. The Planning Unit has not toured the building, but did conduct its own windshield survey. While staff does not have any information that would lead to a conclusion about the condition of the building different from the applicant's, staff would suggest that the condition of the building is likely commensurate with a building of its age.

Should the Plan Commission approve the redevelopment project and the component demolition, the applicant will be required to submit a detailed reuse and recycling plan to be approved by the City's Recycling Coordinator prior to the issuance of a wrecking permit.

Project Description

The applicants propose to erect a 16-story, 71-unit apartment building in place of the demolished commercial building. The building will contain 2,700 square feet of retail on the first floor and 13 one-bedroom, 28 two-bedroom, 15 three-bedroom, 14 four-bedroom and 1 five-bedroom apartments located on the remaining floors of the building. The five-bedroom unit occupies the northern end of the 16th floor, labeled on the floor plans as a penthouse. The project includes parking for one automobile, 14 mopeds and 140 bicycles in a bi-level service area located at the rear of the first floor behind the retail space. Entrance to the service area, which also includes the off-street loading space required by the Zoning Ordinance as well as space for trash, recycling and mechanical units, will be from an entrance along the N. Charter Street façade of the building. The developer indicates that the lone automobile parking space located inside the building will be for a community car that will be available to the building's tenants for use on a pre-scheduled basis.

The proposed building will be constructed of vertical concrete panels and two-toned vertical metal paneling accented with aluminum window framing and rails for the balconies provided for each unit. The applicant indicates that the smallest of the balconies provided is 36 square feet, which the architect indicates will accommodate four persons. Four-bedroom apartments have larger, 50 square-foot balconies, although the whole range of balcony sizes is not otherwise noted. In addition, a rooftop garden and 1,000 square-foot community room will be provided on the eastern half of the 16th floor penthouse to augment the open space provided for tenants of the project. The remainder of the top floor is reserved for mechanical space for the building. No balconies have been provided on the north face of the building to comply with Wisconsin Department of Transportation restrictions on open space next to the adjacent rail right of way. Overall, the building will stand 165-feet above grade.

The building will be cantilevered over a patio proposed along the southern, W. Dayton Street façade of the first floor adjacent to the 2,700 square-foot retail space. The primary entrance for the retail space will be located along N. Charter Street separate from the residential component, which will have its own entrance and vestibule along the N. Charter Street façade. A second entrance to the retail space will be provided from the outdoor patio at the southeastern corner of the building. The first floor patio will serve as outdoor seating for residents of the building or to serve the retail space depending on the tenant business.

Though the plans do not indicate a specific building coverage, the proposed apartment building will occupy most of the subject site, save largely for a four-foot setback along most of the N.

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Charter Street façade. The building is otherwise constructed to abut most or all of the western, southern and northern property lines. The areas where the building will be set back from N. Charter Street will be sodded. Parking for five bicycles and three mopeds is proposed along the south wall of the building on the subject site to primarily serve patrons of the first floor retail space. The applicants propose to install sod in the terrace between the N. Charter Street sidewalk and curb where it is currently concrete and indicate that they are in discussions with the City Engineer and Parks Division to install additional bicycle parking and landscaping in the street terrace to provide a more pedestrian-oriented landscape along the long wall of the building. Initial indications from City staff are that agencies would prefer that the bike parking needs of the project be met on their own site.

The Urban Design Commission reviewed the proposed planned unit development on May 18 and June 1, 2005 and recommended initial and final approval of the project (see attached reports).

Inclusionary Zoning

The applicant has submitted an Inclusionary Dwelling Unit Plan (IDUP) indicating intent to meet the inclusionary zoning provisions of the Zoning Ordinance. Of the 71 units proposed in this development, eleven units will be affordable under the terms of the ordinance. Four of the eleven units will be available to families earning 50% of the area median income (AMI), with the remaining seven units available to families earning 60% of the AMI. The eleven units equal the minimum number of units (10.65) required by ordinance for this project. A representative number of affordable units are provided for the total number of one to four-bedroom units, though that most of the units are located on the lower residential floors, resulting in poor vertical dispersion of the units.

The project has earned two incentive points as a result of the overall affordability of the project. The applicant is requesting a density bonus and residential parking permits as incentives with this project. The benchmark density for consideration of a density bonus is based on the existing zoning, or C1 in this case, which has a benchmark density of 38 units per acre. The Zoning Ordinance provides a minimum of a ten percent bonus per incentive point (up to three points) for any project, unless a project contains four or more stories and provides at least 75 percent of its parking underground. In that case, a density bonus of twenty percent per incentive point is allowed. The proposed building exceeds the four-story threshold and provides its only parking space indoors, so staff believes that the twenty percent bonus can be applied. The density bonus would suggest 53 units per acre to be developed on the site with a forty percent bonus above the 38-unit benchmark using both incentive points. The 53-unit per acre density would result in nine units being built on this 7,050 square-foot parcel. However, the 71 units per acre proposed results in a density of 438.7 dwelling units per acre, which far exceeds any density bonus it could be granted under the Zoning Ordinance, or for that matter any density suggested by any adopted plan.

In the case of the residential parking permits, the Planning Unit notes that eleven residential parking permits are being requested for the affordable dwelling units but that there is essentially an absence of off-street parking for the development as a whole.

Issues for Review

The proposed 71-unit, 16-story apartment building cannot be constructed under the existing C1 zoning, thereby requiring that Planned Unit Development zoning be sought. In reviewing the project, the Planning Unit has identified four specific concerns regarding the proposed development, including the massing, scale and density of the proposed building, compatibility with nearby developments, the absence of off-street parking and loading, and the precedent that approval of this project will set for other properties in the south campus area that extends north of Regent Street from N. Randall Avenue to N. Park Street.

Density, Mass and Compatibility with Nearby Developments

At a density of 438.7 units per acre, the proposed building is significantly denser than any other building developed in the south campus area in the last forty years.

The site is recommended as "Special Institutional" according to the 1988 Land Use Plan and the property is not located within the limits of a neighborhood development plan that would establish more specific density thresholds. As noted earlier in the report, the "Special Institutional" that governs this portion of the University of Wisconsin campus is bordered on the west and east by areas identified as "Residential, Medium Density – Mixed Unit District." The 1988 Land Use Plan anticipates a density of 16-25 dwelling units per acre in medium density districts.

In reviewing projects developed since 1990, the densest development in the downtown and campus area as a whole is The Embassy Apartments located at 505 University Avenue (at North Bassett Street). That project, which was developed in 2001, has a net density of 315.9 units per acre (126 units on 0.399 acres). The density of many recent projects closer to the subject site in the areas identified as "Residential, Medium Density – Mixed Unit District," to the east and west along and south of W. Dayton Street have generally exceeded the 16-25 unit per acre recommendation of the Land Use Plan. Of the projects that have been developed since 1990 in the south campus area, which generally extends from and includes University Avenue on the north, Frances Street on the east, N. Randall Avenue on the west and Regent Street on the south, the average density was 78.3 units per acre, with a range of 53.8 to 178.2 units per acre. Closer to the subject site in the area between N. Park Street and N. Randall Avenue, densities did not exceed 80 units per acre.

A majority of the residential buildings in the portion of the south campus area nearest the site are

located in R5 and R6 (General Residence Districts) zoning, although an increasing number of projects developed in the last fifteen years have utilized planned unit development zoning. Unlike conventional R5 or R6 zoning, which requires a uniform amount of lot area, usable open space and off-street parking spaces per type of dwelling unit, planned unit developments are provided for in the Zoning Ordinance to establish individual lot area, usable open space and parking requirements to suit an individual development based primarily on outstanding design that may otherwise require relief from conventional zoning standards. The Planning Unit reviewed a number of planned unit developments located south of W. Dayton Street between N. Park Street and N. Randall Avenue, which included projects ranging in size from 12 dwelling units to 81 dwelling units. Trends of note when comparing planned unit developments closer to the subject site include:

- Densities that range from approximately 53 units per acre up to 80 units per acre;
- Floor-area ratios (total floor area of the building divided by the lot area) that range between 1.5 and 3.0, and;
- Off-street parking was provided for all but one of the developments reviewed that were built since 1990.

The project without off-street parking was a 12-unit development located at 1315 W. Dayton Street with a density of approximately 66 units per acre and a floor area ratio of 1.6. Many projects in the area provide at least one parking space per unit.

The Planning Unit is concerned with the proposed building's mass and scale in comparison with surrounding buildings, other buildings in the south campus area and other similarly situated properties. The developer has provided a contextual exhibit showing the proposed 165-foot tall building in relation to nearby university buildings, which are the largest buildings in the south campus area with the exception of The Regent Apartments, which is eight stories plus. The applicant asserts that despite being sixteen stories, the proposed building will be comparable in height to the eight-plus story Chemistry Building at the northeast corner of West Johnson and N. Charter Streets, the tower portion of the Computer Sciences and Statistics Buildings next door, and the Educational Sciences Building at North Brooks and W. Johnson Streets. The building will be shorter than the 16-story Atmospheric, Oceanic and Space Science Building across W. Dayton Street and the smokestack at the east campus power plant located southeast of the site.

However, while the building height may be commensurate with other nearby buildings, the floor area ratio (FAR) of the proposed building is substantially higher than the floor area ratios in the surrounding area. The floor to area ratio (the total gross floor area of the building divided by the lot area) is a method used to measure the intensity of building coverage and land usage. While the density of development is a useful measure for residential development, the FAR can be used to compare residential and non-residential uses or mixed-use developments. As noted above, many of the private residential developments nearby have been developed with FARs of 1.5 to

3.0, the FAR of the proposed building is **13.9** (97,775 gross building square feet on a 7,050 square-foot parcel). And while the building is no taller than at least half of the nearby university buildings, it has a FAR nearly **three times** that of the university buildings. Using data from the UW facilities webpage and City assessor parcel information, the Planning Unit found the highest FAR for a university building in this area of the campus to be only 5.2 (Atmospheric, Oceanic and Space Science). Van Hise Hall, the tallest building in the City of Madison, has an FAR of just 1.5. Overall, University buildings in the south campus area had an average FAR of 2.5. The low FAR for both campus buildings and private residential developments in the south campus area regardless of building height is generally the result of providing a combination of greater setbacks from the lot lines, more open space on the site, and in some cases, surface parking spaces.

Parking and Loading

While not the primary concern with this project, the Planning Unit has concerns with the proposed development's lack of off-street parking. As noted in the project description, the development will provide a single off-street parking space to serve the 71 dwelling units. This space will be reserved for a community car that will be available to tenants on a prearranged basis. As noted above, this will be only the second project in the south campus area to be constructed without provision of off-street parking, the other project being a 12-unit project located one block to the west on W. Dayton Street.

The developer has attempted to assuage concerns about the lack of off-street parking to serve this development by drawing attention to the project's proximity to the University of Wisconsin campus and the numerous Madison Metro bus routes that operate along University Avenue, W. Johnson Street and Regent Street. The developer has also taken an inventory of services that are located within a quarter to half-mile of the site in any direction in an attempt to downplay the need for tenants to have an automobile on site. Furthermore, the developer indicates that all of the proposed units will be furnished, thereby lessening the need for prolonged unloading or loading periods and the need for a passenger vehicle.

The Planning Unit does not contest the project's location in relation to the UW for what is anticipated to be a predominantly university-oriented population or the wide range of services available to future tenants. Madison Metro service includes a number of routes from across the City that operate along N. Park Street, University Avenue and W. Johnson Street, particularly on weekdays. And as much as staff supports the use of alternative modes of transportation and work to downplay the reliance on the automobile, the City does have minimum parking requirements that all conventionally zoned lands must comply with.

If this project were to be developed under conventional zoning, 112 parking spaces would be required to serve the residential component and nine spaces would be required to serve the 2,700

square-foot retail space. The Planning Unit is concerned that a residential development that will have 175 bedrooms, and therefore a minimum of 175 occupants, is providing essentially no off-street parking in an area of the City that suffers from a general undersupply of on-street parking and has few, if any, opportunities for off-street parking on other properties. Furthermore, the developer is only providing approximately 0.88 bicycle-parking stalls (which includes the 14 moped parking spaces) per bedroom. While the project generally complies with the Zoning Ordinance requirement that one bike parking stall be provide for every three lodging rooms, the ratio of bicycle and moped parking stalls is deficient given the absence of automobile parking, especially given the target population of the proposed development. (The eight bicycle/moped spaces located near the retail component appear sufficient for that portion of the development under the Zoning Ordinance.)

In conclusion, staff believes that the development as a whole provides neither a sufficient amount nor a realistic array of automobile, bicycle or moped parking opportunities.

Precedent for Additional Redevelopment in the Area

The Planning Unit is also extremely concerned with the precedent that this project will set for redevelopment of other projects in the south campus area. While the applicant states that this project is a "site specific solution" that " would not be applicable to any neighboring properties," staff disagrees with this assertion and suggests that approval of this project would potentially open the door to many more projects of similar intensity far in excess of the current character of surrounding buildings. Absent a full-scale planning effort for the south campus area that would define the recommended intensity and character of development, there would likely be little to prevent other potential projects from proposing similar densities, parking or floor area ratios should the City approve this project. Issues for consideration in a future planning process could include the determination of appropriate bulk and density requirements for new development in this area, the importance of integrating open spaces both in individual developments and in the surrounding area, and setting a reasonable ratio of off-street automobile parking.

Since this project was first proposed and discussed with Planning staff and at a "neighborhood meeting," staff has been contacted by other property owner/developers within the south campus area who are very interested in proposing similarly dense development projects along Spring Street on similarly sized parcels. There has also been discussion about the possible redevelopment of other properties along Regent Street and Monroe Street within the same general area. While the applicant has argued that W. Dayton Street would be a good dividing line with more massive structures allowed to the north and scaled down development allowed to the south, it is unlikely that other property owners and developers within this general area will see it the same way. In addition, there are still other small privately owned properties north of W. Dayton Street where this type of zero lot line tower development may be possible.

CONCLUSION

The Planning Unit concludes that the size, scale and mass of the proposed apartment building would be incompatible with the established context of both the surrounding private residential uses and University of Wisconsin facilities in this area of the City. While the height of the proposed building can be said to be similar to some of the University buildings in close proximity, the actual intensity of land use as measured by the floor to area ratio (FAR) is much higher than both privately developed properties and University properties in close proximity. The scale and mass of the development being proposed is much greater than that allowed in the highest density downtown design zone (Zone 2), which allows up to a 12-story building with much greater setbacks than are being proposed with this project. Currently, there is no adopted City plan which indicates that substantial changes to the existing context are recommended, but even if increased development intensities were to be recommended in a future adopted plan, there is no indication that the intensity of land use being proposed with this development is what the City would deem appropriate for this and other properties in this area. The Planning Unit believes that the proposed project would represent an excessive precedent for future redevelopment of other properties in the south campus area.

In reviewing the proposed project against the Planned Unit Development standards, staff note that the specific criteria 1.a. and 1.b. require the Planned Unit Development District, the uses and their intensity, appearance and arrangement to be of a visual and operational character which are compatible with the physical nature of the site or area and would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the General Development Plan. This project, as proposed, is not compatible with adopted City plans, and staff believe that the intensity of development as measured by its density, floor to area ratio, and minimal setbacks is not compatible with the physical nature of the site or the area.

The applicant is requesting a rezoning of the property from C1 to a Planned Unit Development District. The C1 zoning district allows densities comparable to those allowed in the R5 residential district, which most of the properties surrounding the site are zoned. The applicant is requesting a rezoning and development entitlements for this property, which will not be available to properties that are similarly located in this area. The applicant's letter to the Urban Design Commission indicates that "the applicant maintains the position that this is a fundamentally site-specific solution which would not be applicable to any neighboring properties." The applicant is essentially asking for development entitlements and development intensities to be allowed on this property and arguing that other properties in close proximity could be treated differently. The Planning Unit is very concerned that this rezoning would be conveying development privileges to one property for private gain, where similar development entitlements are unavailable to other properties within the immediate area.

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For these reasons, which are described more thoroughly above, the Planning Unit concludes that the proposed project cannot meet the standard and criteria for approval for planned unit developments, and in particular that the project be "compatible with the physical nature of the site or area," and is recommending that the Plan Commission reject this project.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission forward Zoning Map Amendment 3102, rezoning 202 N. Charter Street from C1 (Limited Commercial District) to PUD-GDP-SIP (Planned Unit Development, General Development Plan/ Specific Implementation Plan) to the Common Council with a recommendation to **reject** the project. Demolition of the existing commercial building should be conditioned upon the approval of the planned unit development.

BUILDING DENSITY BY NUMBER OF DWELLING UNITS - SINCE 1990

Downtown / Campus Housing Area

CAMPUS LOCATION	ADDRESS	UNITS / ACRE	NUMBER UNITS	UNIT TYPE	BEDRMS / ACRE	TOTAL BEDRMS	STORY HEIGHT	YEAR BUILT	PARCEL NUMBER	ZONING	LOT SIZE SQ FT	ACRES
SOUTH	202 N CHARTER ST	438.7	71	1, 2, 3, 4 & 5 BR	1081.3	175	16	(2005)	70922104151	PUDSIP	7050.00	0.162
EAST	505 UNIVERSITY AVE	315.9	126	EFF, 1, 2, 3 & 4 BR	729.7	291	12	2001	070923211042	PUDSIP	17372.00	0.399
BASSETT	409 W GORHAM ST	230.0	115	EFF, 1, 2, 3 & 4 BR	658.0	329	12	(2005)	070923105089	PUDSIP	21780.00	0.500
EAST	535 W JOHNSON ST	224.4	93	1, 2, 3 & 4 BR	603.2	250	12	2002	070923212016	PUDSIP	18053.00	0.414
BASSETT	437 W GORHAM ST	218.9	77	EFF, 1, 2, 3 & 4 BR	639.6	225	12	2004	070923105162	PUDSIP	15324.40	0.352
CBD	219 KING ST	218.0	111	1 & 2 BR	347.7	177	11	2004	070913324045	PUDSIP	22175.00	0.509
EAST	206 N BROOM ST	210.4	51	EFF	210.4	51	3	1995	070923114014	PUDSIP	10560.00	0.242
CBD	12 N BUTLER ST	202.5	38	EFF, 1 & 2 BR	330.3	62	7	2002	070913331066	PUDSIP	8176.00	0.188
CBD	380 W WASHINGTON AVE	198.8	84	ROOMS	198.8	84	5	1965, 2002	070923112191	PUDSIP	18406.00	0.423
EAST	515 LAKE ST	196.9	56	2, 3 & 4 BR	682.6	104	8	2002	070914302066	PUDSIP	6636.51	0.152
EAST	431 W GORHAM ST	186.7	56	1 & 2 BR	346.7	104	10	1990	070923105154	PUDSIP	13068.00	0.300
SOUTH	632 UNIVERSITY AVE	178.2	27	EFF, 1, 2, 3 & 4 BR	257.4	39	5	2004	070923203106	PUDSIP	6600.00	0.152
EAST	614 LANGDON ST	171.5	30	2, 3 & 4 BR	445.9	78	8	1999	070914301183	PUDSIP	7620.00	0.175
BASSETT	420 W GORHAM ST	160.0	80	EFF, 2, 3 & 4 BR	390.0	195	6	2004	070923201259	PUDSIP	21780.00	0.500
CBD	127 N HAMILTON ST	151.2	76	1, 2 & 3 BR	298.5	150	14	2002	070913332139	PUDSIP	21893.00	0.503
EAST	625 LANGDON ST	150.0	30	2, 3, 4 & 5 BR	445.0	89	8	1999	070914302040	R6	8712.00	0.200
CBD	360 W WASHINGTON AVE	143.8	174	1, 2 & 3 BR	284.3	344	15	2002	070923112191	PUDSIP	52709.00	1.210
CBD	100 WISCONSIN AVE	135.7	50	EFF, 1 & 2 BR	271.4	100	11	2003	070914425090	PUDSIP	16048.00	0.368
BASSETT	110 N HENRY ST	133.7	250	1, 2 & 3 BR	176.4	330	15 & 5	1976, 2002	070923121091	PUDSIP	81481.00	1.871
CBD	202 N HAMILTON ST	131.3	58	1, 2 & 3 BR	237.7	105	6	2002	070914414217	PUDSIP	19239.00	0.442
CBD	27 N BUTLER ST	130.0	26	EFF, 1 & 2 BR	180.0	36	4	2003	070913324045	PUDSIP	8712.00	0.200
WEST	2365 UNIVERSITY AVE	127.5	108	EFF, 1 & 2 BR	186.5	158	3	2003	070921107011	PUDSIP	36900.00	0.847
CBD	137 E WILSON ST	126.8	48	1, 2 & 3 BR	269.5	102	14	2004	070924213071	PUDSIP	16483.60	0.378
EAST	515 UNIVERSITY AVE	124.7	86	1, 2 & 3 BR	284.3	196	12	1990	070923211050	PUDSIP	30030.65	0.689
CBD	123 W WASHINGTON AVE	119.5	67	1, 2 & 3 BR	181.9	102	10	1924, 2003	070923110062	C4	24428.00	0.561
CBD	333 W MIFFLIN STREET	118.8	164	1, 2 & 3 BR	260.7	360	13	(2005)	070923112191	PUDSIP	60142.00	1.321
EAST	244 W GILMAN ST	117.5	26	2 & 3 BR	307.4	68	6	1999	070914420389	C2	9636.00	0.221
CBD	20 N BLAIR ST	117.3	64	EFF, 1, 2, & 3 BR	181.5	99	4	(2005)	070913315284	PUDSIP	23760.00	0.545
BASSETT	510 W MAIN ST	106.7	40	EFF, 1, 2, & 3 BR	178.7	67	4	2004	070923125300	PUDSIP	16335.00	0.375
EAST	210 LAKELAWN PL	101.9	19	1, 2, 3 & 5 BR	257.5	48	4	2002	070914419816	PUDSIP	8120.00	0.186
CBD	21 N BUTLER ST	95.7	67	EFF, 1 & 2 BR	122.9	86	7	1998	070913324087	PUDSIP	30492.00	0.700
BASSETT	450 W MAIN ST	92.9	12	1 BR	92.9	12	3	2003	070923122249	PUDSIP	5628.48	0.129
BASSETT	202-208 W GORHAM ST	90.0	9	EFF, 2, 4 & 5 BR	270.0	27	4	1928, 2003	070914421212	PUDSIP	4356.00	0.100
WEST	2308 UNIVERSITY AVE	89.8	81	EFF, 1, 2, 3 & 4 BR	219.5	198	4	2001	070921101055	PUDSIP	39300.00	0.902
CBD	2 W GORHAM ST	85.7	60	EFF, 1 & 2 BR	95.7	67	5	1998	070914412120	R6H	30492.00	0.700
EAST	619 LANGDON ST	84.4	17	2, 3 & 4 BR	228.3	46	6	1993	070914302032	PUDSIP	8778.00	0.202
BASSETT	350 W WILSON ST	83.0	17	EFF, 1 & 2 BR	141.6	29	4	1998	070923127273	PUDSIP	8924.00	0.205
BASSETT	544 W MAIN ST	80.5	28	1 & 2 BR	129.4	45	4	2002	070923125251	PUDSIP	15150.00	0.348
CBD	155 E WILSON ST	80.1	27	2 & 3 BR	178.0	60	8	1999	070924213055	PUDSIP	14686.00	0.337
SOUTH	1323 SPRING ST	79.9	52	1, 2, 3, 4 & 5 BR	207.4	135	7	2002	070922113059	PUDGDP	28355.00	0.651
BASSETT	432 W MAIN ST	72.5	39	1 & 2 BR	104.1	56	4	1998	070923122281	PUDSIP	23430.00	0.538
SOUTH	110 N BROOKS ST	68.8	34	2, 3, & 4 BR	170.3	198	4	1999	070923217222	PUDSIP	50640.00	1.163
SOUTH	920 SPRING ST	67.5	34	2, 3 & 4 BR	182.7	92	4	2001	070923217272	PUDSIP	21932.00	0.503
BASSETT	335 W DOTY ST	66.7	20	1 & 2 BR	96.7	29	3	2004	070923127166	PUDSIP	13068.00	0.300
BASSETT	540 W WASHINGTON AVE	65.7	51	1, 2 & 3 BR	103.1	80	6	2003	070923123304	PUDSIP	33809.00	0.776
EAST	221 LANGDON ST	65.4	22	1, 2, 3, 4 & 5 BR	190.3	64	4	2001	070914420032	PUDSIP	14650.00	0.336
SOUTH	1001 W DAYTON ST	62.1	24	2, 3 & 4 BR	217.2	84	4	1999	070923217149	PUDSIP	16845.00	0.387
SOUTH	905 SPRING ST	61.5	16	2, 3 & 4 BR	207.4	54	4	1994	070923220019	PUDSIP	11339.00	0.260
BASSETT	442 W WILSON ST	61.2	35	EFF, 1 & 2 BR	83.9	48	3	1994	070923131232	PUDSIP	24928.80	0.572
CBD	201 N BLAIR ST	60.0	24	EFF, 1 & 2 BR	97.5	39	3	2002	070913310185	PUDSIP	17424.00	0.400
BASSETT	609 W MAIN ST	59.8	78	1, 2 & 3 BR	110.4	144	4	2003	070923405033	PUDSIP	56838.00	1.305
SOUTH	1019 SPRING ST	54.5	4	3 BR	163.4	12	3	2000	070923219046	PUDSIP	3200.00	0.073
SOUTH	111 N MILLS ST	53.8	39	2, 3, & 4 BR	157.4	114	4	1999	070923217298	PUDSIP	31548.00	0.724
BASSETT	329 W WILSON ST	50.1	58	1, 2, 3 & 4 BR	124.4	144	11	(2005)	070923128065	PUDSIP	50416.00	1.157

FLOOR AREA RATIO OF SOUTH CAMPUS BUILDINGS

<u>BUILDING</u>	<u>ADDRESS</u>	<u>GROSS SQ FT</u>	<u>LOT SIZE</u>	<u>F.A.R.</u>
ATMOS & SPACE SCI	1225 W DAYTON ST	144,147	27,614	5.2
GRAINGER HALL	975 UNIVERSITY AVE	505,655	114,693	4.4
CHEMISTRY	1110 W JOHNSON ST	404,521	93,353	4.3
OGG HALL	716 W DAYTON ST	212,997	53,856	4.0
COMP SCI & STAT	1210 W DAYTON ST	244,096	72,973	3.3
EDUCATIONAL SCI	1025 W JOHNSON ST	178,012	59,878	3.0
WEEKS HALL	1215 W DAYTON ST	146,491	56,526	2.6
TEACHER EDUCATION	225 N MILLS ST	97,103	38,605	2.5
NEW RES HALL	35 N PARK ST	160,495	65,146	2.5
PSYCHOLOGY	1202 W JOHNSON ST	115,071	48,889	2.4
VAN VLECK HALL	480 LINCOLN DR	109,914	48,600	2.3
NEW RES HALL	801 W DAYTON ST	184,300	84,941	2.2
NOLAND HALL	250 N MILLS ST	92,540	49,673	1.9
SELLERY HALL	821 W JOHNSON ST	230,496	126,456	1.8
WENDT LIBRARY	215 N RANDALL AVE	74,459	43,034	1.7
WITTE HALL	615 W JOHNSON ST	230,071	137,214	1.7
CHADBOURNE HALL	420 N PARK ST	138,808	87,000	1.6
VAN HISE HALL	1220 LINDEN DR	226,940	148,050	1.5
UNION SOUTH	227 N RANDALL AVE	112,955	87,969	1.3
ZOOLOGY	1117 W JOHNSON ST	44,256	49,338	0.9
HEATING PLANT	117 N CHARTER ST	99,296	144,277	0.7
DAYTON STREET APTS	202 N CHARTER ST	97,775	7,050	13.9

AGENDA # V.D.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: June 1, 2005
TITLE: 1202 West Dayton Street - PUD(GDP-SIP), Dayton Apartments	REFERRED:
	REREFERRED:
	REPORTED BACK:
AUTHOR: William A. Fruhling, Acting Secretary	ADOPTED:
	POF:
DATED: June 1, 2005	ID NUMBER:

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

SUMMARY:

At its meeting of June 1, 2005, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD(GDP-SIP) for Dayton Street Apartments located at 1202 W. Dayton Street. Eric Lawson, with Potter Lawson, stated that the applicants met with Planning Unit staff and there is a difference in opinion on the size and massing. He reviewed changes to the on-site amenities, including: adding a community room, expanding the rooftop plaza, and incorporating ground level seating. He stated that the project is within the UW Campus Plan boundary and noted that although the site is not located in a Downtown Design Zone, those guidelines state that usable open space can be offset by on-site amenities. He also noted that there is now space for one community car. Rick Gilbertsen, with Potter Lawson, reviewed the off-site amenities within a ¼-mile radius. He stated that the railroad approves of the encroachment into the railroad setback, except for the balcony on the north side. He stated that they are including a green grid roof system strip as well as a "green screen". He also distributed a new lighting plan. Lawson stated that more moped parking was added, and City Engineering staff feels that placing bicycle parking in the terrace along Charter Street is possible. Lawson noted that they are slightly decreasing the amount of impervious surface on the site. Geer suggested adding street trees along Dayton Street, in grass areas or tree grates, as well as using colored, stamped concrete or brick pavers, such as those used elsewhere in the terrace on Dayton Street. Radomski noted that he talked to Ald. King and Gary Brown and Alan Fish with the UW and that they are committed to looking at a planning process for the area. Barrett feels the context is well established with taller buildings in the immediate area. Barnett expressed concern that the retail space be used for retail and not office space. Bryce Armstrong, Craig Hungerford and Jill Hochhausen, all of Trio Development, registered in support as did Mark Bastian of Potter Lawson.

ACTION:

On a motion by Woods, seconded by Barrett, the Urban Design Commission GRANTED FINAL APPROVAL for Dayton Street Apartments located at 1202 W. Dayton Street, subject to the following conditions:

- that the final signage (including the "202" sign) be approved by the Commission
- that trees and pavers in the terrace along Dayton Street be pursued
- that a different species be used in place of the barberry next to the building
- that a recommendation be forwarded to the Plan Commission that the retail space be used only for retail, and not office space.

The motion passed on a vote of 7-0-1 (Wagner abstained).

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 7, 7, 7.5, 8, and 8.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 1202 West Dayton Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	8	8	7	7	-	8	8	8
	6	6	5	6	-	7	7	6
	5	9	6	8	-	-	9	7.5
	-	-	-	-	-	-	-	7
	-	7	-	-	-	-	8	8
	5	6	3	5	-	6	5	5
	7	7	5	-	-	7	7	7
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-

General Comments:

- Exciting project.
- Pretty nice, urban project in a very appropriate location. The only downside: halls are too narrow – they should be at least 6’ to promote community within the building.
- Good architecture – appropriate use of this site.
- Nice addition to the neighborhood.
- Nice improvements to an already well-designed project.
- Addition of the community room off the roof patio will make it a more usable space for general residents. Street trees in the terrace areas are extremely important for scale and comfort. Introduce color paving patterns to warm the space at least in the terrace area. Can stagger the vine fence height if you want to allow for views, and infiltration panels are a good attempt to mitigate on-site storm water collection.
- Great use for this site.

AGENDA # IV.L.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: May 18, 2005

TITLE: 1202 West Dayton Street - PUD(GDP-SIP), Dayton Apartments

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: May 18, 2005

ID NUMBER:

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

SUMMARY:

At its meeting of May 18, 2005, the Urban Design Commission **REFERRED CONSIDERATION** of a PUD(GDP-SIP) for Dayton Apartments, located at 1202 West Dayton Street. Appearing on behalf of the project Rick Gilbertsen, Mark Bastian, and Eric Lawson from Potter Lawson Inc., along with Bryce Armstrong, Jill Hochhausen, and Craig Hungerford of Trio Development. The plans submitted for initial/final approval featured the following:

- Seventy-one total units with 180 bedrooms.
- Every unit has a balcony.
- The entire building features the use of cast-in-place concrete, rather than pre-cast concrete as previously proposed.
- The building materials feature the use of clear low-E glass system, operable windows on the residential floors, with aluminum storefront glazing system featured on the first floor retail level (also featuring clear low-E vision glass), and vertical metal panels. The vertical metal panels also feature the addition of a reddish-brown accent panel.
- The site lighting is limited to first floor entry areas.

Following the review of the plans, the Commission noted the following:

- The photometric plan details hot spots under fixtures at 30 foot candles or greater; needs to be below 10 foot candles. The amount of light is blinding and requires a reduction in wattage.
- The project as proposed applies for an increase in pavement with no-site infiltration, relying on piping into the area's storm water system with no significant landscaping or open space provided.
- It is too tall of a building on too small of a site, "shoehorned." Needs open space around the building.
- The building is an urban solution and is relative to its context it is not a problem.
- Eliminate wing wall that is attached to the building at the ground floor level to add more green space.
- Examine extending the patio area at the penthouse level toward the site's Charter Street frontage to expand its size and usable area.
- Provide more moped parking.
- Provide details on the character of the design of the penthouse space, which is not sufficiently specified to make a finding on the "inviting-ness" of the space.

As part of the discussion, the Commission questioned William Fruhling, Principal Planner, relative to the issue of adequate on-site and off-site amenities necessary to support the proposed residential population of the building within an area dominated by educational buildings and other related facilities, and the larger issue of consideration of the project in absence of a detailed plan for the area. Fruhling noted that staff's primary concern is the lack of an overall development plan for the area, as it would provide a guide for redevelopment of this and other similar properties. In absence of such a plan, approval of the project would create a precedent for other buildings of this type within the area without sufficient mechanisms to evaluate this and future projects' compatibility, context and appropriateness, as well as the necessary infrastructure to support redevelopment within the area.

It was noted that although not comprehensive in scope, areas covered by the "Downtown Design Zones" provide specific internal and external design standards to guide redevelopment, relative to the bulk, mass, and height of structures in context with surrounding and adjacent properties. The Commission noted that it was regrettable that a detailed plan is not in place for this area to guide their consideration of this project as proposed and requested the following:

- The applicant, in conjunction with staff, provide an evaluation of this development proposal against the design provisions and requirements for development of a Planned Unit Development with a "Downtown Design Zone."
- The applicant further examine the on-site and off-site amenities necessary to support the residential population of the project.
- Provide further details on the size and configuration of the balconies adjunct to four-bedroom units.
- Re-examine the width of hallways.
- Provide roof garden details.
- Provide for increase in moped parking.
- Revise the site lighting plan to eliminate hot spots.
- Further discussion with staff on issues relevant to the height, bulk and mass of the proposed development in absence of a detailed plan for the area, and other related issues.

ACTION:

On a motion by Barrett, seconded by March, the Urban Design Commission **REFERRED** **CONSIDERATION** of the project. The motion was passed on a vote of (5-2-1) with Geer and Host-Jablonski voting no and Wagner abstaining. The motion to refer required that the applicant address the above stated concerns.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 4, 6, 6, 7, 7, 7.5 and 8.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 1202 West Dayton Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	-	-	-	7.5
	3	4	3	4	4	5	4	4
	6	5	-	4	-	-	7	6
	6	7	-	6	-	7	7	7
	5	8	4	3	-	7	8	6
	9	8	7	7	-	7	9	8
	7	6	6	5	-	7	8	7
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-

General Comments:

- This is a very good project, of appropriate scale and density. Amenities external to the site are abundant because of the campus location. Staff are opposed simply because they're behind the curve and scrambling to catch up.
- More useable balconies a definite amenity given there is little to no open space on the project. Increase in concrete paving on-site only worsens the lack of on-site drainage and water infiltration. Hot spots in the lighting plan; lower and balance out. If you are promoting the roof "garden" as open space then provide planters for greenery.
- Good design elements – may create incentives for changes to Union South. Hopefully the reopened will strongly encourage the UW and the city to move on a neighborhood plan!
- Good urban solution that will serve university well.
- Provide many more moped spots. Disengage site [wing] walls from building walls. Expand roof garden to utilize more of available space.
- Needs more work on the patio area. Perhaps low planters instead of a wall. Though there is no formal plan, this is a good addition to the university cityscape.

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**Dayton Charter Apartments
Inclusionary Zoning Staff Review
for the Plan Commission:
(June 7, 2005)**

Name of Development	Dayton Charter Apartments
Address	202 N. Charter
Developer/owner	Trio Development
Contact Person	Bryce Armstrong
Contact Phone	Trio Development LLL 448 W. Washington Ave. Madison, WI 53703
Contact-mail	trio-bryce@tds.net

SUMMARY FOR PLANNING UNIT REPORT TO PLAN COMMISSION:

This mixed-use project with a total of 71 residential rental units, of which 11 are proposed to be inclusionary dwelling units.

CONCLUSION:

The project as proposed, based upon the available information furnished by the developer,		
	Will comply with MGO 28.04 (25)	
X	Will comply with MGO 28.04 (25) if the following conditions or changes are met:	
	1. The proposed IDUP does not place the IZ units on each of the 15 residential floors.	In order to achieve better dispersion of the IZ units developer should move some of the IZ units that are on floors where there are two IZ units to other floors where there are none.
	Does not comply for the following reasons:	

Reviewed by	Barbara Constans, Grants Administrator Hickory R. Hurie, CD Grants Supervisor
	Date: May 20, 2005

1. PROPOSED ALLOCATION OF AFFORDABLE UNITS

Number of units	At Market	At 80%	At 70%	At 60%	At 50%
71 rental units	60			7	4

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2. TABLE TO CALCULATE POINTS

This Project's points	At Market	At 60% of AMI	50%	40%	30%
5%			1		
10%		1			
15%					
20%					
TOTAL for project					2

Ordinance Basis for Points

For-sale: Per cent of dwelling units	At Market	At 80% of AMI	70%	60%	50%
Ord. points					
5%		0	1	2	3
10%		1	2	3	4
15%		2	3	4	5
20%		3	4	5	6

Rental: Per cent of dwelling units	At Market	At 60% of AMI	50%	40%	30%
Ord. points					
5%		0	1	2	3
10%		1	2	3	4
15%		2	3	4	5
20%		3	4	5	6

3. ISSUES RELATED TO DESIGN, PRICING, OR TERMS OF IZ UNITS

Standards for Inclusionary dwelling units (IDUs)	Complies	Does not comply	Additional comments
Exterior Appearance of IDUs are similar to Market rate	Yes		
Proportion of attached and detached IDU units is similar to Market rate.	Yes		All units are attached.
Mix of IDUs by bedroom size is similar to market rate	Yes		
IDUs are dispersed throughout the project	No		IZ units are located on only 9 floors (2, 3, 4, 5, 6, 9, 10, 11, and 12) of the 15 residential floors which includes a penthouse floor.
IDUs are to be built in phasing similar to market rate	Yes		
Pricing fits within Ordinance standards	Yes		
Standard Process Items for Compliance	Complies		Issues:
Developer offers security during construction phase in form of deed restriction	Yes		None noted

Developer offers enforcement for for-sale IDUs in form of option to purchase or for rental in form of deed restriction	Yes		None noted
Developer describes marketing plan for IDUs	Yes		None noted
Developer acknowledges need to inform buyers/renters of IDU status, responsibilities for notification	Yes		None noted
Terms of sale or rent	Yes		None noted
Additional areas of interest	Area of interest		Additional Comment
Developer has arranged to sell/rent IDUs to non-profit or CDA to meet IDU expectations	No		None noted
Developer has requested waiver for off-site or cash payment	No		NA
Developer has requested waiver for reduction of number of units	No		NA
Other:	None identified		

4. INCENTIVES REQUESTED

A) Density bonus of 10% (except developments of 4 or more stories and >75% of parking is underground, or has 30 or fewer detached du, then density of 20% per point) (limited to 3 points)

B) Reduction in Park development fees (limit of 1 point)

C) Reduction in Park Dedication requirements (limit of 1 point)

D) 25% reduction in parking requirements (limit of 1 point)

E) Non-city provision of street tree landscaping

F) Cash subsidy from IZ fund, \$10,000/IZ unit for up to 50% of the on-site IZ units (Limit of 2 points)

G) Cash subsidy from IZ fund, \$5,000/IZ unit for lower range column of households, up to 50% of on-site IZ units with 49 or fewer detached du or developments with 4 or more stories and at least 75% of parking is underground. (Limit of 2 points)

H) One additional story in downtown design zones, not to exceed certain height requirements

I) Eligibility for residential parking permits equal to number of IZ units in PUD

J) Assistance in obtaining other funds related to housing

K) Preparation of a neighborhood development plan from non-city sources (if development located in Central Services Area, is contiguous to existing development and no such plan exists.

L) Expedited review

M) Other benefits requested:

5. ISSUES OF PROCESS

Are there issues in any of the following steps that should be identified now for closer attention?

Step	Standard Step Activity	Special Issues
<u>Pre-conference</u> with City Planning Staff	April 5, 2005	None identified
Presentation of <u>Concept</u> to City's Development Review Staff Team	April 21, 2005	None identified
Submission of Zoning Application and <u>IZ Dwelling Unit Plan</u>	IDUP submitted April 27, 2005.	None identified
<u>Formal Review</u> by City's Development Review Staff Team	Reviewed	None identified
Formal Review by <u>Plan Commission</u>	Pending	None identified
<u>Appeal</u> Plan Commission Decision to Common Council (optional)	Developer has not requested waiver.	None identified
<u>Compliance</u> with Approved Inclusionary Dwelling Unit Plan	Deed restriction to recorded for construction phase; Marketing Plan to be implemented	None identified
<u>Construction</u> of development according to Inclusionary Dwelling Unit PI	Developer is ready to begin upon approval	None identified
Comply with any continuing requirements	Developer will comply with IZ rental rules for period of 50 years	None identified



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: June 13, 2005

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 202 North Charter Street Planned Unit Development (GDP/SIP)

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- | |
|------------------------------------------------------------------------------------------|
| 1. Applicant shall show elevations of existing and proposed sanitary mains and laterals. |
|------------------------------------------------------------------------------------------|

GENERAL OR STANDARD REVIEW COMMENTS

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

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 202 North Charter Street Planned Unit Development (GDP/SIP)

General

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this application.

Right of Way / Easements

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- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.

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- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.5 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.6 The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
- 4.7 This site is greater than one (1) acre and the applicant is required by State Statute to obtain a Notice of Intent Permit (NOI) from the Wisconsin Department of Natural Resources. Contact Jim Bertolacini of the WDNR at 275-3201 to discuss this requirement.
- 4.8 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.9 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.10 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.
- 4.11 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.12 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.13 The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)

NOTE: Email file transmissions preferred zenchenko@cityofmadison.com . Include the site address in this transmittal.
- 4.14 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

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Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

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Traffic Engineering Division

David C. Dryer, City Traffic Engineer

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

June 9, 2005

TO: Plan Commission

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

SUBJECT: **202 North Charter Street – Rezoning – C2 to PUD (GDP-SIP) – Demolish & Build 16 Story 71 Unit Apartment Building With 2900 Sq. Ft. Retail**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The City-County radio systems (911, etc.) managed by the City use microwave directional paths to remote towers countywide. If a building's location and height impact these paths, the development may be required to make accommodations for the radio systems. Exact elevation plans will need to be reviewed by the Traffic Engineer to determine any impacts and accommodations. The applicant will need to submit grade and elevations plans prior to sign-off to be so they can be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. Based on our consultations with the Attorney's office, any costs would be developer related costs.
2. A condition of approval shall be that no residential parking permits will be issued for 202 N. Charter Street, this would be consistent with projects. In addition, the applicant shall inform all owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text; however, the designated inclusionary dwelling units at 202 North Charter Street, shall be eligible for residential parking permits according to the inclusionary zoning. The applicant shall provide addresses and apartment numbers for designated inclusionary dwelling units, eligible for residential parking permits to City Traffic Engineer/Parking Manager. The applicant shall note in the Zoning Text the inclusionary zoning dwelling units.
3. The applicant shall modify the proposed stacked parking spaces for width, length, according to special provisions for stacked-parking. The stacked parking shall contain a rectangular area of a minimum width of eight (8) feet-six (6) inches and a minimum width of eighteen (18) feet, (If two (2) feet of overhang are used for a vehicle, it shall be shown on the plan. The stacked parking spaces shall be exclusive of access drives, aisle, ramps, columns, and bumper stops for each vehicle and be shown on the plan. The off-street vehicle facility design shall provide all vehicle storage and maneuvering

off-street, that the facility shall not require the use any of the public right-of-way for vehicle storage or maneuvering. The Applicant shall mark and show stacked-parking stalls on the plan.

The Applicant shall provide a letter of understanding stating that stacked-parking vehicles shall not use the right-of-way for vehicle storage or maneuvering and how the vehicles shall be moved to allow a blocked vehicle access at all times. A contact person & telephone number shall be provided to handle any complaints or problems with the use of stacked-parking operation on the site.

GENERAL OR STANDARD REVIEW COMMENTS

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

4. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
5. The proposed location of the trash enclosure would require a single unit truck to back onto the site and park on the sidewalk to load and unload (or it will require the single unit to back onto the right of way for operation of the site). In either case, the trash enclosure shall be relocated so as to located at the end of the proposed loading area that allows the single unit truck to park on-site for loading and unloading.

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

6. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
7. The Developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.

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

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

Contact Person: Rick Gilbertsen
Fax: 608-274-3674
Email: rickg@potterlawson.com

DCD:DJM:dm

**CITY OF MADISON
MADISON WATER UTILITY
523 E. MAIN ST.
266-4651**

MEMORANDUM

Date: May 4, 2005

To: Bill Roberts - Planning & Development
From: Dennis M. Cawley, Engineer IV - Water Utility
Subject: REZONING – 202 North Charter Street

Madison Water Utility has reviewed this rezoning and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS

None

GENERAL OR STANDARD REVIEW COMMENTS

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

The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

Dennis M. Cawley

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From: "Rick Mcky" <RMCKY@starkhomes.com>
To: "Timothy Parks" <tparks@cityofmadison.com>
Date: 5/20/05 10:45AM
Subject: RE: mcky

thanks Tim. I was at the Nieghborhood meeting on this. About 15 people showed up against project objections:

10 to 15 story building on a 7000 sq. ft. lot with no parking

Loading/unloading in front of that building would be a nightmare. I own 2 buidlings w/in 1 block of this site 1001 W. Dayton and 130-134 N. Orchard St. We issue 2-3 parking tickets daily for illiegal parking.

Every Apartment Buidling w/in a 3 block radius is 2-4 Stories. In 2000 1001 W. Dayton (pud-sip) got approved for 24 units, 4 stories, and 1 to 1 parking ratio. Pretty much every pud-sip in the last 10 years approved in the Neighborhood was 3 to 4 stories with close to 1 to 1 parking ratio.

I know the developer paid \$1,500,000 for the site. But he should not have over paid for the site and then HOPE the City will bail him out with density .

Tim what are your thoughts on this development. Can I get a copy of your report when finished.

thanks tim. I watched you on planning commission Monday you did a great job.

-----Original Message-----

From: Timothy Parks [mailto:tparks@cityofmadison.com]
Sent: Fri 5/20/2005 9:55 AM
To: Rick Mcky
Cc:
Subject: Re: mcky

The address for the project for future reference is 202 N Charter Street. I am the reviewing planner for the project, which goes to the Plan Commission on June 20, 2005. -TIM

>>> "Rick Mcky" <RMCKY@starkhomes.com> 05/19/05 7:32 PM >>>
 Tim are you the case manager for the project on West Dayton St. (are you writing up report on project). This is the former milans sandwich shop. If you are not who is?????. This project goes to plan commission June 6th 2005. thank you

From: "Rick Mcky" <RMCKY@starkhomes.com>
To: "Timothy Parks" <tparks@cityofmadison.com>
Date: 5/20/05 3:08PM
Subject: RE: mcky

Thanks Tim. There were 3 PUD SIP's that were done in 1998,1999,2000 w/in one block of this proposal on West Dayton all were three stories with close to 1 to 1 parking ratio. Also there is Gebharts project on Randall from 2003 that is 4 stories with 1 to 1 parking. I own a site at 130 \$ 134 N. orchard St. maybe I should want this kind of density because I will be in with my 15 story plan a week later if it's approved. Thanks for your help

From: Kathi Dwelle <kjdwelle@wisc.edu>
To: <tparks@cityofmadison.com>
Date: 6/6/05 4:34PM
Subject: Dayton St. hi-rise proposal

Dear Tim,

My dept. is in charge of building services for the UW Division of Information Technology (DoIT) located at 1210 W. Dayton. I am extremely concerned about the proposed hi-rise for the small lot at the corner of W. Dayton and Charter St. I understand the issue will be debated June 20th.

This property is adjacent to our 3-story building and would have serious adverse effects if allowed to be built as proposed:

- 1) It would block and limit natural light to offices on the east side of the DoIT building.
- 2) It would allow an out-of-scale building on a small lot and set a precedence for additional high-rise apts. in an area currently populated by 2 to 4-story residences.
- 3) It would worsen an already problematic situation with parking.
 - a) DoIT has 75 staff located at Research Park who need to travel to campus to participate in meetings and training. They already have difficulty finding parking spots and lose productivity because of this.
 - b) Delivery trucks currently park illegally on W. Dayton St. or pull onto the sidewalk to deliver office furniture, flowers, bottled water, etc. Occasionally school buses with students touring the Geology Museum across the street do likewise. Adding 70+ residents w/o parking who need dry cleaning, groceries/take-out food, UPS/Fed-Ex, etc. will only increase traffic hazards and congestion in this difficult area.

While it is true there is a tall building (Space Science & Meteorology) across the street, it is far enough away to allow sunlight to enter our south facing offices. Unfortunately, it does create tunnel wind conditions on the street.

I strongly encourage you not to approve this project, but require developers to come up with a plan that has proper scaling and parking. This would be consistent with the restrictions placed on previous developers on the street, who I understand were wisely limited to 4 stories and required to provide 1 parking spot per rental unit. I also recommend that zoning be passed restricting the height of private residences in this area. Thank you.

Sincerely,
Kathi Dwelle

Kathi J. Dwelle
Director: Communications, Organizational & Student Initiatives
Div. of Information Technology
Univ. of Wisconsin-Madison email: kjdwelle@wisc.edu
1210 W. Dayton St. phone & voice mail: (608) 262-8824
Madison, WI 53706 fax: (608) 265-6453

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From: Marcia Jezwinski <marcia.jezwinski@doit.wisc.edu>
To: <tparks@cityofmadison.com>
Date: 6/7/05 12:17PM
Subject: Dayton Street hi-rise proposal

Hi Tim,

I work in the Comp Sci building, next to the proposed site of the hi-rise--the former Milan's site. I object to a 16 story building on the site -- it would create too much congestion with traffic, density of housing is inappropriate for that small area, parking is already at a premium in the area, this would further complicate that and it would block light to the offices on the east side of our building. I think it would also be a good idea to do more long term planning for this area as it's ripe for further development. Something that would fit better with the surrounding neighborhood and not create a wind tunnel and streets/sidewalks that are in complete shadow for the day would be appreciated.

Marcia Jezwinski

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Potter Lawson

May 25, 2005 Submittal

City of Madison
Urban Design Commission

Re: Letter of Response
Dayton Street Apartments
Project No. 2005.10:00

Dear Urban Design Commission:

This response letter is accompanying the drawing package for the Dayton Street Apartment Development located in Madison, Wisconsin. Below you will find an explanation of the revisions to the package based on the commission's comments from the 5/18/05 UDC meeting.

In general, the commission's comments included; a request that the applicant continue a dialog with City planning department staff, identification of amenities surrounding the project site, increased moped parking, on site permeability, decreased / revised site lighting levels, landscaping, identification of interior corridor widths, usable open space, further development of the roof patio to provide an enhanced amenity for building residents, balcony size at the four-bedroom unit, and further development of the Roof Patio.

On May 25, 2005, the applicant met with City planning staff to continue a dialog on the merits of this proposal. The applicant shared with city staff a graphic illustrating the abundance of neighborhood amenities within a ¼ mile radius of the site (this drawing is included with this submission). City staff maintains, regardless of proximity to amenities this project is still too dense given the lack of a formal planning study conducted by the City. The applicant maintains the position that this is a fundamentally site specific solution which would not be applicable to any neighboring properties. This proposal reflects the character and density on the site's immediate neighborhood and will be further complimented by future University plans for redevelopment of the immediate area surrounding the site.

This response addresses the commission's comment of increased moped/ bike parking on site by adding 5 bicycle stalls and 3 moped spaces on site external to the building. Additionally, this proposal has added 7 moped spaces internally giving a total of 14 for the project. Furthermore, the applicant is proposing to the City Engineering and Parks Departments the improvement of North Charter Streets terrace with 10 bicycles, providing an amenity for the neighborhood that does not presently exist. These corrections can be found on the site plan and first floor plan of the package.

On the comment of the need for city approval for proposed improvements to the Charter Street terrace, the applicant is in process of receiving approval by the departments of engineering and parks to provide improvement to the terrace as indicated above as well as providing (2) ornamental Hawthorn trees and ground cover to a terrace that is presently covered with rock mulch and 4 Barberry shrubs.

On site permeability is addressed by first stating that the existing property is 100% impervious. This proposal incorporates a 4-ft. building setback creating roughly 175 sf. mitigation. Additionally this proposal calls for a roof top garden that will be explained below.

Glare and site lighting issues are addressed as follows. First, the bold building outline on the Site Lighting plan was removed for clarity from the past submission. This overlapped with light level readings, potentially creating misunderstanding of the true levels. Next, corrections were made at the south end of the building, one light fixture Type A was included twice in the lighting program. This extra fixture was removed reducing overall light level. The spacing of three Type A light fixtures was increased by approximately 1 foot. These corrections can be found on the Site Lighting plan.

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Landscaping for the project is subject to the physical constraints of the site and this proposal. Presently no landscaping is present on site. This proposal calls for a hearty medium height low maintenance shrub at the perimeter of the retail zone planted in a bed of ground cover. This will aesthetically soften the retail streetscape and contribute to the activation of Charter/ Dayton Streets. This proposal also includes a roof top garden by incorporating a "Green Grid" planting system planted with a hearty medium height low maintenance Sedum plant material, as well as, a "Green Screen" trellis fence system accommodating a Virginia Creeper vine. These proposed roof elements would further control storm water. The applicant also proposes landscape improvements to the terrace on Charter Street lending further enhancement to the activation of the streetscape with the inclusion of (2) ornamental Hawthorn trees and ground cover if approved by the City Engineering and Parks department. While larger trees would be desirable, proximity to building face and street do not warrant this. The modifications to the rooftop garden can be found on the Penthouse plan.

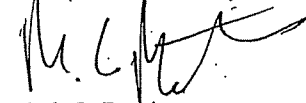
This response addresses the commission's comments of, the need for open space, further description of the usability of balcony deck size, and a description of the intimacy of the Roof Patio, with the following. This applicant's proposal creates a uniquely dense urban solution creating open space at the Dayton Street streetscape with a seating area, the building setback on Charter Street, private balconies for each apartment unit and the incorporation of a rooftop patio/ garden. Initially, green space was proposed for the terrace (consistent with what is being proposed for Charter Street) in front of the seating area on Dayton Street. This idea was rejected as being impractical for the use of pedestrians on football Saturday. The idea however would have lent itself to a more residential character of open space.

The smallest balcony for the proposal is nominally 36 sf. This minimum will accommodate 4 people seating to enjoy the outdoors. The 4 bedroom's deck has been increased to nominally 50 sf., based on commission's comments. This deck was originally intended to be bigger, but discussion with D.O.T. required no deck on the north face of the building, directly over the railroad right of way. This response includes a community room adjacent to the rooftop patio. This will provide nominally 1000 sf. of community space for the benefit of the residences. This open space will provide breath-taking views of Madison and be further augmented with the landscape proposed above. The scrubs and vine trellis will provide intimacy and soften the facade, as well as, security from the building edge.

This proposal currently provides corridor width of nominally 5'-3". Given the schematic nature of the integration of mechanical, plumbing, fire protection and electrical systems minimum chase sizes will need to be refined, with that in mind any surplus will be earmarked to increase the corridor width.

Sincerely,

POTTER LAWSON, INC.



Mark C. Bastian
Architect

cc: Bryce Armstrong

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Urban Design Commission
May 25, 2005 Submittal for June 1, 2005 Meeting
May 25, 2005

Project: Dayton Street Apartments

Applicant: Trio Development

Development Schedule: The applicant wishes to demolish the existing structure and commence new construction in August 2005 and anticipates occupancy of the new building in August 2006.

Parcel Location: At the north-east corner of the intersection of West Dayton Street and Charter Street.

Parcel Size: 7,050 sq. ft.

Existing Land Use: Vacant property. Former ground floor retail and one floor of apartments.

Proposed Use: Approximately 2,700 sq. ft. of retail space, parking for one community cars and 71 dwelling units.

Surrounding Land Use: The property abuts the University of Wisconsin – Madison computer science buildings and the railroad tracks. With the exception of a small privately held lot across Charter Street the property is surrounded on all sides by University of Wisconsin – Madison / State properties. The University of Wisconsin did not purchase this property recently when it was for sale.

We believe in the 1960's or early 1970's the Atmospheric Oceanic & Space Science Building was constructed on the Madison campus. This building is easily the tallest structure in the vicinity of the proposed project. Over the past 30-40 years this area of the campus has continued to have new structures added (Computer Science, Educational Sciences) with significant massing and development density. The most recent example is the addition to the Chemistry Building along West Johnson Street. The Dayton Street Apartment project respects the heights and massing of the developments that have occurred in this area of the City over the past 30-40 years.

Adopted Land Use Plan: The City of Madison has no current land use plan or policy statement that addresses or guides development of this property. The City of Madison Planning Department has indicated to the Applicant that there are no plans or schedule for development of a land use plan or design guidelines that would encompass this property. The University of Wisconsin – Madison is currently undertaking a master planning process for development of the campus. This property is located more than one city block within the Campus Planning Boundary of the 1994 Comprehensive Master Plan developed by the University of Wisconsin – Madison. The University is currently planning significant developments immediately to the north of this parcel between the existing railroad corridor and West Johnson Street. The University is also planning a major redevelopment of the two blocks bounded by W. Johnson Street, Charter Street, University Avenue and Randall Avenue. This redevelopment has been named the Wisconsin Institute of Discovery and will likely significantly change the massing and density of development in the immediate area of the Dayton Street Apartments. The University has also recently discussed modifications to Union South and the Wendt Library block, which we understand will likely increase the development density of this block and add further amenities to this area of the City.

Design Criteria: At the May 18th meeting of the Urban Design Commission the Commission asked the applicant to review and compare the Dayton Street Apartment project to the Downtown Design Zone criteria. The discussion at this meeting focused on how the proposed development compares to the current buildings in Downtown Design Zone 2. As the Commission is aware, the Downtown Design Zone requirements do not apply to this site. The following information is being provided based on the request of the Urban Design Commission:

This project does not meet the height, floor area ratio and yard requirements identified for Downtown Design Zone 2. We believe it is difficult to apply these requirements to the uniqueness of this site, its location, size, elevation, distance from the State Capitol and the surround buildings which have been developed over the past 30-40 years around this project site.

The Planned Unit Development Districts in Downtown Design Zones have Exterior and Interior Design Criteria that is used to evaluate proposed projects. Again, this criteria is not required to be applied to this proposed project and relates to the eastern end of the University of Wisconsin – Madison campus.

Exterior Building Design

Massing. The Dayton Street Apartments will be lower in elevation than the current Chemistry Building, Atmospheric Oceanic & Space Science Building and the tower of the Charter Street power plant. The proposed project will be similar in height to the existing Educational Sciences Building. The existing surround buildings have been completed over the past 30-40 years and contain a variety of architectural styles and expressions. The Dayton Street Apartment building has been designed to be in scale and massing to the buildings which surround the project site. In addition, the mass of the proposed building has been broken up with each façade designed in a unique character and visual expression, all to enhance the aesthetic qualities of the building and provide a pedestrian friendly development.

Orientation. The Dayton Street Apartments have been designed to face and engage the street. Building setbacks along West Dayton Street and Charter Street have provided enhanced entrances, social gathering spaces and an opportunity to enhance the public right-of-way along the street with a landscaped terrace and new trees along Charter Street. Potential entrances to the first floor retail space are provided along West Dayton Street and Charter Street to activate the entire corner. Meetings have been held with the University so that this building does not impact existing walkways from the Computer Science buildings and/or future development that the University may consider.

Building Components. The building has been designed to achieve a base, body and cap, with particular emphasis placed on the base of the building. The glass and concrete elements of the buildings base have been arranged and orientated to provide the retailer(s) with visibility and also to provide some transparency at this intersection. The base is very similar to the Chemistry Building base where the glazing provides both occupants and passers-by with a visually appealing, identifiable entrance orientation to the street. The top of the building is receiving special design emphasis to provide an appealing place for building residents to gather. All mechanical equipment is planned to be screened or within enclosed rooms.

Articulation, Opening and Materials. The mass of this building has been broken-up by the unit mix, unit heights, building projections, balconies, attention to the design of the building base, emphasis on creating a pleasant roof-top patio all of which incorporate features to enrich the appearance of the building. Building openings have been organized and detailed to emphasize the overall building design characteristics. Building materials have been chosen to relate to the surrounding buildings and provide durable long-lasting materials for the exterior of the building. Particular attention has been placed on material textures and colors to provide emphasis on particular aspects of the project, aesthetic appeal, breakdown of the massing of the building and provide human scale and articulation. The garage door, because of the site size constraints has been orientated to the street, but design emphasis has been placed on integrating the door into the volumetric qualities of the base of the building in a visually appealing fashion. Particular emphasis has been placed on designing all sides of this building to provide visual uniqueness for each building façade while not sacrificing design continuity.

Entry Treatment. The design provides obvious, readily identifiable entrances which are in character to the overall building design and contribute to the definition of the public way and promote a strong pedestrian feel along the street. All building entrances are orientated to the two streets.

Terminal Views and Highly Visible Corners. This building is located at the intersection of two streets. Attention has been placed to orientating the first floor retail towards both streets with emphasis placed on the buildings base design and articulation to provide vibrancy to the intersection. The corner of the building at the intersection has been set-back and articulated to stress the importance of the corner through the building designs vertical building aesthetic at the corner.

Additional Criteria for Bonus Stories in Downtown Design Zone 2. The building has been articulated and designed on all four sides to provide a varied appearance unique to each side of the building. We believe the design makes an extraordinary contribution to the architecture of the area and the City as a whole. A more bland, repetitive design may have been proposed that would be more economical. The proposed buildings color, texture and materials are in keeping with this area of the City and will provide visual interest and appeal to an area of campus that will be redeveloped over the coming years with the impact of the Wisconsin Institute of Discovery development, redevelopment of the parcel immediately north of the project site, and Union South / Wendt Library block improvements.

Site Design / Function

Semi-Public Spaces. The building has been set-back along West Dayton Street and Charter Street to provide semi-public spaces and add to the amenities and visual appeal of this project. Seating, lighting and landscape materials have been incorporated.

Landscaping. Landscaping is being provided on a site that has for years has been 100% impervious. The landscaping is being integrated with the functional building elements such as the retail and residential entrances to reinforce the overall design of the building. The landscaping proposed will also reduce the building massing, anchor the building and provide an inviting pedestrian environment. In addition, if approved by the City Engineering and Parks departments the applicant would like to have a landscaped terrace with trees incorporated along Charter Street, in part to soften the building and provide greenery, but also to relate to other adjacent properties along Charter Street.

Lighting. Exterior lighting is being designed to coordinate with the building architecture and primarily provide illumination at the retail and dwelling lobby entrances. Overall lighting levels will be consistent with the character and intensity of existing lighting in the area surrounding the project site.

Interior Building Design

Mix of Dwelling Unit Types. A wide variety of housing unit types are being provided between 1-bedroom to 5-bedroom units. A multi-level unit is also being provided which allows the top of the building to be articulated in a different manner along West Dayton Street. Inclusionary Zoning units are being provided without City TIF support.

Dwelling Unit Size, Type and Layout. Adequate and sufficient wall space has been provided to allow appropriate furniture layout within each room. Sufficient kitchen, laundry and living spaces have been provided in proportion to the number of bedrooms per unit. The applicant has been particular in sizing the bedrooms to accommodate double beds in lieu of single beds. This has been done to attract upper level students, graduate students, faculty and staff to this development. All units will be fully furnished by the building operator. Balconies have been provided for all units and all dwelling rooms have operable windows.

Interior Entryway. The interior entryway has been provided with a mailbox alcove to allow packages and other articles delivered to the building to be placed outside of the circulation path to the elevators. Building security systems will be integrated into the final design documents. Glazed entrance doors and sidelight(s) provide sufficient transparency to see into and out of the building when entering or leaving.

Usable Open Space. Attention has been placed on providing usable open space at the ground level of this project. Seating and tables along West Dayton Street will provide residents and passersby with a space to gather, study, socialize, etc. In addition, raised seating walls along Charter Street will provide space for someone to sit along the sidewalk. Usable open space in the form of appropriately sized balconies are being provided at all of the units in this project. A rooftop gather space / plaza is being provided to allow residents a larger gathering space within this development. The design criteria for the downtown design zones is specific in stating that *"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."* The Dayton Street Apartments will include an indoor community room adjacent to the rooftop terrace as a social activity space. In reviewing the current apartment buildings located in downtown design zone 2 we have found that the amount of retail space planned at the Dayton Street Apartments appears to exceed the current retail space found in any one development which has already been constructed. The retail space within this development may also present a social gathering space within this development.

Trash Storage and Off-Street Loading. An enclosed trash room is being provided at a central easily accessible first floor location. The trash room is adjacent to the loading area. A loading area of 10 ft x 35 ft is being provided to meet the zoning requirement for loading spaces.

Resident Parking. No resident parking is being provided. The project is being designed to accommodate two (2) community cars that could be used by residents and surrounding persons who take advantage of community cars. An urban development is proposed. Multiple mass transit stops are within easy walking distance of the project. A vast number of amenities (restaurant, nightclubs, service providers, health care, etc.) is within a ¼ to ½ mile radius of the project site (a map is being provided to illustrate readily accessible amenities). In addition, the development is anticipated to serve upper level students, graduate students, faculty and staff all associated with the University which surrounds this site.

Bicycles and Mopeds. Bicycle parking, in excess of what the zoning code requires, is being provided as part of this project. Bicycle parking locations are being provided within the building and outside of the building. In addition, the applicant is approaching the City of Madison Engineering Department to determine if additional bike parking spaces can be provided within the street terrace along Charter Street. Moped parking is being provided both inside the building and around the exterior of the building.

Building Security and Management. In a downtown design zone the applicant is required to submit a management plan. Because this project is not located within a downtown design zone, not management plan has been submitted to the City.

Conclusion / Summary

The project proposed is an urban development. The project site is adjacent to multiple mass transit stops, numerous amenities (restaurants, service providers, convenience stores, etc) within a half-mile radius of the site. The building occupants will likely be upper class students; graduate students, faculty and staff all associated with the University. With the project site being surrounded by University buildings, the building occupants will likely chose to live at this apartment building because of the proximity to where they work or attend school. Space for one community car is being provided within the building to allow residents the opportunity of vehicular transportation. In addition, it appears that more retail space is being planned in this development than what other similar mixed-use developments have provided in the past. Building amenities to support the resident population of Dayton Street Apartments include ground level seating along Dayton Street, first floor retail, interior community room, exterior rooftop patio with plantings, adequate trash collection within the facility, in unit laundry facilities, fully furnished apartments, enclosed bicycle and motor scooter parking, on-site bicycle and motor scooter parking outside of the building, and off-street loading. This building has been designed based on the contextual qualities and massing of the surrounding structures which have been developed over the past 30-40 years around this project site. We

do not believe that this project is precedent setting in its massing or size. Furthermore, the University properties south of the project site provide a buffer to residential properties located south of the site.

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