

**PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
of September 12, 2006**

RE: I.D. # 04156: Zoning Map Amendment I.D. 3211 To Rezone 415 – 419 W. Dayton Street from R6 (General Residence District) to PUD-GDP-SIP

1. Requested Actions: Approval of a request to rezone 415 – 419 W. Dayton Street from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to allow demolition of one single-family residence and two converted multi-family residences and the construction of a new 20-unit condominium 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 Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicant & Property owner: Pat McCaughey, McCaughey Properties, LLC; 914 West Shore Drive; Madison.

Agent: Gary Brink, Gary Brink & Associates, Inc.; 8401 Excelsior Drive; Madison.
2. Development Schedule: The applicants wish to commence construction in May 2007, with completion scheduled for May 2008.
3. Location: Approximately 0.3 acres located at 415, 417, 419 W. Dayton Street, Aldermanic District 4; Madison Metropolitan School District.
4. Existing Conditions: A single-family residence at 415 W. Dayton Street, a two-family residence at 417 W. Dayton Street, and a four-unit apartment in a converted residence at 419 W. Dayton Street, all zoned R6 (General Residence District).
5. Proposed Land Use: A four-story, 20-unit condominium building.
6. Surrounding Land Use and Zoning:
North: Two to four-unit apartment buildings, Dayton Square Apartments, zoned R6 (General Residence District); 402 W. Dayton Apartments, zoned PUD-SIP;
South: Two to four-unit apartment buildings on the north side of the 400-block of W.

Mifflin Street, Ambassador West Apartments, Mifflin Street Art Center/ Planned Parenthood building, all zoned R6 (General Residence District);

W&E: Two to four-unit apartment buildings, zoned R6.

7. **Adopted Land Use Plan:** This area is identified in the Mifflin-Bassett Downtown Mixed-Use Sub-district of the Comprehensive Plan, which generally recommends the area bounded by W. Dayton Street on the north, W. Wilson Street on the south, Broom Street on the east and Bedford Street on the west for two to four-story buildings consistent with the predominant scale of buildings in the area. The Comprehensive Plan recommends that specific recommended densities for individual blocks or properties be established in a detailed, City-adopted neighborhood plan or special area plan, such as the plan adopted for the Bassett Neighborhood south of W. Washington Avenue.
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.

PLAN REVIEW

The applicant is requesting approval of planned unit development zoning to allow a single-family residence, a two-family residence and a four-unit apartment in a converted residence located at 415, 417 and 419 W. Dayton Street, respectively, to be demolished and a new four-story, 20-unit condominium building to be constructed. The site is located approximately 150 west of N. Broom Street on the south side of W. Dayton Street in R6 zoning.

Background

The single-family residence at 415 W. Dayton Street is a 1.5-story "old style" structure with four bedrooms. The building is wood sided with a front bay window and cross-dormer roof. Moving west, the two-unit building at 417 W. Dayton Street is a 2.5-story flat building with a front porch across the front of the building and an occupied third floor under the roof with a wood-framed fire escape leading from the top floor down to the roof of the front porch. The four-unit residence at 419 W. Dayton Street is also a 2.5-story flat with a covered front entry stoop and cross-dormer

roof. The rear yard of all three buildings is occupied with gravel-surfaced parking accessible via a driveway between the 415 and 417 buildings and a driveway along the east wall of the 415 building.

All three properties are historically student-oriented rentals commensurate with the predominant land use pattern in the surrounding area. Student-oriented two to four-unit rental properties in converted one, two and two and one-half story houses similar in character to the buildings on the subject site and served by rear surface parking areas abut the subject site to the east and west, with additional stock located generally south along portions of W. Mifflin Street and W. Washington Avenue. The Mifflin Street Art Center and Planned Parenthood building immediately adjoins the subject site to the south, with the three-story, 80-unit Ambassador West apartment building located just to the west along W. Mifflin Street. North of the site across W. Dayton Street, the character of buildings intensifies, with the presence of the 57-unit, 2.5-story Dayton Square apartment complex located directly north of the site and the 51-unit, three-story 402 W. Dayton Apartments located at the corner of W. Dayton and N. Broom streets.

There is at present, no adopted neighborhood plan to guide development in the Mifflin neighborhood. This area is identified in the Mifflin-Bassett Downtown Mixed-Use Sub-district of the Comprehensive Plan, which generally recommends the area bounded by W. Dayton Street on the north, W. Wilson Street on the south, Broom Street on the east and Bedford Street on the west for two to four-story buildings consistent with the predominant scale of buildings in the area. The generalized future land use recommendations for this area might support consideration of higher densities in this portion of the downtown area. However, the Comprehensive Plan also recommends that specific recommendations for density and dwelling unit types be established in a detailed, City-adopted neighborhood plan or special area plan, such as the plan adopted for the Bassett Neighborhood south of W. Washington Avenue. Such plans would include recommendations for land uses, density, urban design, circulation, and provision of open space in the Mifflin neighborhood. Staff feels these plans should be prepared prior to any substantial changes in land use and density occurring.

The site is also located across W. Dayton Street from, but not in, the Transition Zone attached to Downtown Design Zone 2. Downtown Design Zone 2 is the most intensive of the four design zones, with a maximum floor area ratio (FAR) of 6.0 allowed. The zone is home to a number of large student-oriented residential developments that have been constructed primarily along University Avenue between N. Lake and N. Broom streets. Design Zone 2 restricts the heights of buildings to ten stories with the opportunity for two bonus stories to be approved if the project meets additional interior and exterior design criteria. The Transition Zone, however, is intended to lessen the intensity of new developments in PUD zoning south from W. Johnson Street to W. Dayton Street and the lower-rise housing in the Mifflin neighborhood. In the Transition Zone, buildings are restricted in height to three stories and 40 feet of height. This reflects an

expectation that the Mifflin neighborhood south of W. Dayton Street (not covered by the current Downtown Design Zones) would continue to be primarily characterized by smaller-scale, low-rise buildings, as presently.

Condition of Buildings Proposed for Demolition

The developer indicates that all three buildings are candidates for demolition, stating that "the buildings have reached their economic lifespan." To support this contention, the applicant has provided photos pointing to a myriad of structural and operational deficiencies, including substandard plumbing and electrical fixtures, structural and exterior façade deterioration, and heavily altered interior floorplans they feel would make restoration of these buildings infeasible. The developer indicates that he has offered the buildings at 415 and 417 W. Dayton Street for a dollar to anyone who would be willing to relocate them and has had little substantive interest. The Planning Unit has not toured the buildings, but has conducted a windshield survey. While staff does not have any information that would lead to a different conclusion about the condition of the buildings, staff would suggest that the exterior conditions of the two buildings do not appear to be substantially different from other similar two to four-unit buildings in the area that have been home in recent history to a high number of student occupants.

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

Project Description

The 20-unit condominium building proposed will consist of seven one-bedroom and thirteen two-bedroom units. Two dwelling units will occupy the first floor, which will also contain tenant mail and storage, a community room, and an exercise room, with the entry vestibule and lobby facing W. Dayton Street at the center of the first floor elevation. The upper three floors will each contain six units, with a two-bedroom unit at each of the four corners of the floors and two one-bedroom units located in between along the side walls. Both first floor units will include ground-level patios, with recessed porches to be provided for each unit on the upper three floors as shown on the floorplans submitted with the application.

Parking for the proposed condominium will be provided in 28 underground stalls located on two levels for a ratio of 1.4 spaces per unit. A two-way driveway will be located at the northwest corner of the building to provide access to the underground parking levels. Parking for a total of 29 bicycles is proposed with this project, with 26 of those spaces to be located within the building and three visitor spaces to be provided at the northeast corner of the building adjacent to W. Dayton Street. Parking for mopeds will also be accommodated in the building. No on-site

loading is proposed to serve this development. A central trash room will be provided on the first floor, with container rollout service along the north wall to the curb. The project is requesting that a waiver to this requirement be granted as part of the approval of this planned unit development. An amendment to the Zoning Ordinance passed earlier this year allows a waiver to providing off-street loading to be considered as part of a PUD approval similar to other facets of a development such as yards, building height, usable open space or off-street parking.

The proposed condominium building will be faced entirely with modular brick veneer above a masonry block base, with precast concrete elements used in particular to frame windows and provide visual interest. The building will be topped with an EIFS cornice and soffit and will also feature heavy timber trellises above the main entrance and above a portion of a raised terrace that will extend the length of the rear wall of the building. The terrace will be decked above the upper level of under-building parking and will feature two raised planters and other outdoor amenities for use by the residents of the building. The applicant has submitted a thorough landscaping plan for the project that includes the planting of a variety of shrubs and perennials along the side walls of the building and along the perimeter of the raised terrace. Four eastern redbud shade trees will be planted in the rear yard.

Inclusionary Zoning

The applicant has requested a waiver from providing inclusionary dwelling units in this project. The Community Development Block Grant Office is reviewing this waiver request and will furnish the Plan Commission with its findings at the Commission meeting. The density of the proposed condominium building is 66.2 units per acre. The allowable density under the R6 zoning 72.6 units per acre, meaning that this project is not receiving a density bonus.

ANALYSIS

The proposed condominium development at 415-419 W. Dayton Street calls for a building style and mass not currently present on the south side of 400-block of W. Dayton Street. The building will also be unlike the prevalent building stock of converted wood-frame multi-tenant residences found elsewhere throughout the Mifflin neighborhood and is instead styled after a number of projects in the Bassett neighborhood south of W. Washington Avenue without the benefit of a neighborhood plan like the Bassett Neighborhood Master Plan to guide such development.

At present, W. Dayton Street serves as a dividing line between more intensive multi-family development to the north, including a number of mid and high-rise student-oriented towers along W. Johnson Street and University Avenue, and low-rise student housing located in converted one, two and three-story structures predominating the area to the south. The transitional nature of the building stock along W. Dayton Street is reflected in the designation of the north side of the

street as the Transition Zone attached to Downtown Design Zone 2. The Transition Zone restricts buildings in new planned unit developments along the north side of W. Dayton Street to three stories and 40 feet in height and is intended to step the intensity of development down to the lower-scale housing stock found throughout most of the Mifflin neighborhood to the south. The introduction of a building style and intensity generally confined north of W. Dayton Street into the Mifflin neighborhood to the south without the benefit of a special area plan will require the weighing of many factors should the Plan Commission and Common Council find the standards for a planned unit development met. Among the factors meriting consideration are the appropriateness of the scale, mass and design of the building, the precedent this project may create elsewhere in the Mifflin neighborhood, the provision of open space to serve the project, and the project's conformance with the R6 zoning classification and planned unit development standards.

Previous to this proposal, new development activity in the Mifflin neighborhood, generally bounded by W. Dayton Street on the north, N. Broom Street on the east, W. Washington Avenue on the south and N. Bedford Street on the west, has been limited. A proposal to demolish a two-unit dwelling and replace it with a new two-unit building in conjunction with the renovation of a second two-unit building and construction of a four-unit rear-lot apartment building at 437-441 W. Mifflin Street was approved in March of this year. In reviewing the eight-unit proposal for the 437-441 W. Mifflin Street property, the Planning Unit felt that the smaller project preserved the rhythm of the street and provided an appropriate intensification of density in the Mifflin neighborhood in the interim until a neighborhood plan or proposed Downtown Plan could be prepared. Staff felt that the development pattern established by the project at 437-441 W. Mifflin Street might be appropriate for application on a limited basis to other lots in the Mifflin neighborhood, especially along W. Mifflin Street, as an alternative to the demolitions and larger infill projects that have occurred to the south in the Bassett neighborhood. Staff cushioned this support by weighing the sufficiency of off-street parking and open space being provided in the project and considering whether they established a sufficient baseline for other potential developments in the neighborhood.

The proposal at 437-441 W. Mifflin Street followed a larger redevelopment proposal on the same site in June 2005 that proposed a four-story, 23-unit apartment building to be constructed in place of the two two-unit buildings. Considerable concern about the earlier proposal was expressed by the Planning Unit and Urban Design Commission, who felt that the density and overall design of the project was out of context with the surrounding neighborhood, at least in light of the absence of a planning document that might establish conditions for such a development.

There are similarities between the subject project and the earlier 23-unit proposal at 437-441 W. Mifflin Street, including the demolition of existing housing stock, an increase in density, and the introduction of a building style not significantly present in the neighborhood. However, staff

does not feel that the 20-unit project one block north at 415-419 W. Dayton Street to be as out of character with the neighborhood as the other project, which was structurally oversized, proposed a higher lot coverage and floor area ratio than what was present in the neighborhood, provided limited usable open space and proposed an architectural style that fit poorly within the neighborhood context. Conversely, the proposed building at 415-419 W. Dayton Street represents a more urban architectural style that is at least true to itself if still a significant change from the predominant character in the neighborhood. Staff feels that while large, the scale and massing of the proposed building may be more in keeping with a "mixed-housing types" context of both apartment buildings and converted wood-frame structures.

The proposed building is largely compliant with the requirements found in the underlying R6 zoning district, although the standard districts in the current Zoning Ordinance often are a poor fit with the land use and design recommendations of City plans, particularly in downtown and isthmus neighborhoods. The seven one-bedroom units and thirteen two-bedroom units would require that the site be a minimum of 10,950 square feet; the subject site is over 13,000 square feet in area. The project also provides approximately double the 2,310 square feet of usable open space required by R6 zoning when the individual patios or porches are factored, and generally meets the 2.0 floor area ratio allowed in the existing zoning. The project appears deficient versus R6 requirements only in regards to required front yard, where a 10-foot yard is proposed but a 20-foot required, and by one foot in each side yard, where an 11-foot setback would be required but a 10-foot setback is proposed. The deficiency of the proposed front yard versus the Zoning Ordinance requirement is mitigated, however, by the presence of front yards of 10 feet or less for many of the buildings fronting the south side of the block, although these buildings are smaller. While the building is four stories in height above grade and hence one story taller than the Transition Zone would permit across W. Dayton Street, it is generally less than 40 feet as measured to the bottom of the cornice.

The Urban Design Commission (UDC) reviewed the project and granted final approval on July 12, 2006. The UDC report is attached, including a recommendation that bike parking be required at a ratio of one space per bedroom.

CONCLUSION

The Plan Commission is being asked to consider the demolition of three standalone residential structures at 415-419 W. Dayton Street to accommodate a single, four-story condominium building without the benefit of a neighborhood or special area plan to guide in the decision making process. As with the project a block south at 437-441 W. Mifflin Street, the merits of the current project should be considered in conjunction with the issues of precedence and potential effects of approving a project of this scale on future redevelopment proposals in the surrounding neighborhood south of W. Dayton Street. In this case, the Planning Unit believes that the

proposal warrants serious consideration for approval at this time for a variety of reasons and believes that the proposed development could meet the standards for planned unit developments.

First, this project largely meets with the criteria required for a project in R6 zoning on a number of key fronts, particularly the allowed density, scale and mass of the building. While not strictly in conformance with the front yard requirement, the superior design of the project as proposed outweighs in staff's opinion any value that would be derived by pushing the front wall of the building back an additional ten feet, especially given the setbacks of most of the buildings along the south side of W. Dayton Street.

Next, while the proposed building will be markedly different from the wood-framed buildings adjacent to the east and west, it is not entirely dissimilar from the buildings to the immediate north and south, which share much of the same massing characteristics, though vary widely in their architectural quality. The Planning Unit believes that this project has a good urban style that represents a positive addition to the architectural character of the 400-block of W. Dayton Street that should complement the diverse architecture already present.

Staff also believes that the project is generally consistent with the broad parameters for the Mifflin-Bassett Sub-district in the Comprehensive Plan, which recommends that new buildings in this area have a density of about 60 units per acre (66.2 units per acre are proposed) and be two to four stories in height. While a detailed neighborhood plan has not yet been developed for the Mifflin neighborhood, the Planning Unit feels that the proposed condominium building will establish a reasonable precedent for other such developments until a plan can be developed that better directs and future redevelopment activities in this area.

Concerning the demolition, the applicant contends that the three buildings have reached the end of their useful lifespan. The buildings at 415, 417 and 419 W. Dayton Street were constructed in 1899, 1900 and 1909 according to City records, respectively, and at least one of the buildings has been altered from its original construction to accommodate a greater number of units. Kitty Rankin, the City's preservation planner, indicates that none of the three buildings have any known architectural or historical significance. All three of the buildings have served as student rental properties in recent years, which have historically been associated with higher than levels of structural deterioration than some non-student housing stock. A detailed condition report of these three buildings has not been submitted. The new condominium building will be more economically productive than preserving the existing buildings given the likely high cost of renovation each would require to extend their useful life.

The Planning Unit concludes that the planned unit development standards could potentially be met and that development of this project will not have a negative impact on the existing

neighborhood context or the future ability to develop a detailed neighborhood development plan for the Mifflin neighborhood as recommended in the Comprehensive Plan.

RECOMMENDATION

The Planning Unit believes that the Plan Commission could find that the demolition standards and standards for planned unit developments can be met. Following the public hearing, if the Plan Commission agrees with this conclusion, the Commission should forward Zoning Map Amendment 3211, rezoning 415 – 419 W. Dayton Street from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the zoning text be revised per Planning Unit approval as follows:
 - a.) that the list of uses be revised to include only residential uses as allowed in the R6 zoning district and any accessory uses related thereto;
 - b.) the floor area ratio, building height, yard areas and parking sections shall be noted “as shown on the attached plans,” and;
 - c.) the “Management/ Maintenance Plan,” “Site Improvements” and “Sale Prices” sections shall be removed.

AGENDA # 6

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: July 12, 2006
TITLE: 415-419 West Dayton Street – PUD(GDP-SIP), Twenty-Unit. 4 th Ald. Dist. (03204)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: July 12, 2006	ID NUMBER:

Members present were: Lou Host-Jablonski, Chair; Todd Barnett, Lisa Geer, Cathleen Feland, Robert March and Michael Barrett.

SUMMARY:

At its meeting of July 12, 2006, the Urban Design Commission **GRANTED FINAL APPROVAL** of a PUD(GDP-SIP) for a twenty-unit project located at 415-419 West Dayton Street. Appearing on behalf of the project were Gary Brink, Rosemary Lee and Jess Thuli. The modified plans as presented by Brink reflected the following:

- The front entry treatment has been modified to provide for an extended canopy pergola, in combination with the incorporation of brick on upper elements of the entry feature with a renaissance smooth face block base.
- An additional garage door has been added to the right side of the front (West Dayton Street elevation) to provide balance with lower level window elements on the left side of the lower portion of the front façade.
- The narrow width of brick above the upper windows' lintels and the upper edge of the parapet has been widened to be more proportional.
- Other adjustments to the location of the overall front façade, including size, scale and relationship of window openings have been modified to provide for more balance of all elements on the front façade, along with the application of a more uniform use of modular brick on all building elevations.

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

- Like the differentiation of brick patterning on the front elevation, as well as the double garage doors.
- Consider a hitch post bike rack in front of the building and verify that the style of proposed bike racks are not inconsistent with City code requirements.
- Provide sufficient bike parking for one stall per bedroom.
- Relevant to the discussion regarding the juxtaposition of windows with the garage doors, it was noted that the over architecture was a big improvement, with less concern with the alignment issue.

ACTION:

On a motion by Geer, seconded by March, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a unanimous vote of (7-0). The motion required that the applicant provide for a hitch post type bike rack at the main entry to the building, and that other exterior bicycle racks meet code requirements, as well as provide bicycle parking at one stall per bedroom.

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 6, 6.5, 7, 7.5, 7.5 and 7.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 415-419 West Dayton Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	6.5	7	6	-	8	7	6.5
	-	7.5	-	-	-	-	8	7.5
	6	6	5	-	-	7	6	6
	7	8	8	-	-	7	7	7.5
	8	8	7	-	-	7	8	7.5
	6	7	6	-	-	7	7	7

General Comments:

- Garage door/window alignment concerns me.
- Nice improvements; the proportions of the front façade are now well-balanced.
- A true pity that more classic houses are going down for this. Traffic Engineering needs to learn how to accommodate cars with smaller one-way-at-a-time garage entrances.
- New entry treatment is much more successful as well as the dividing of the garage face with a column. Very attractive landscape detailing and outdoor space created.
- Much improved.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: August 11, 2006

To: Plan Commission
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 415-419 W Dayton St

Present Zoning District: R-6

Proposed Use: Demolish 3 residential buildings & build 4 story 20 unit condo building.
(7 one-bdrm units and 13 two-bdrm units)

Requested Zoning District: PUD(GDP-SIP)

Conditional Use: 28.04(22) Demolition of principal buildings requires Plan Com. app.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Any projections, either under or over the right-of-way, shall be approved by the Street Encroachment Committee. Contact Jerry Lund of the City Real Estate Section at 267-8718.
2. Clearly show the property line on the site plan sheets.
3. Section 28.04(24) provides that Inclusionary Zoning requirements shall be complied with as part of the approval process. Submit, to CDBG, a copy of the approved inclusionary zoning plan for recording prior to final signoff of the rezoning.
4. Provide **one** 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area may be located in a drive aisle that meets the above requirement.
5. Provide **twenty** bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

415-419 W. Dayton St

6. In the zoning text, the setbacks do not reflect the actual building setbacks, including porches/canopies and parking garages. Revise the text.

ZONING CRITERIA

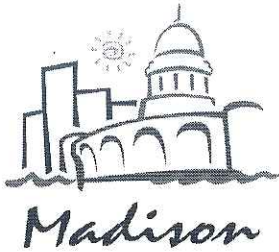
Bulk Requirements	Required	Proposed
Lot Area	10,950	13,159 sq. ft.
Lot width	50'	99.39'
Usable open space	2,310 sq. ft.	3,685 sq. ft.
Front yard	20'	0' (1)
Side yards	15' 7.5" each side	10' each side
Rear yard	30'	10' *
Floor area ratio	2.0	3.41 *
Building height	---	4 stories

Site Design	Required	Proposed
Number parking stalls	0 (Central business district)	28
Accessible stalls	1	2
Loading	1 (10' x 35')	(4)
Number bike parking stalls	20	(5)
Landscaping	as shown	adequate
Lighting	n/a	n/a

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

* Since this project is being rezoned to the **(PUD)** district, and there are no predetermined bulk requirements, we are reviewing it based on the criteria for the **R-6** district, because of the surrounding land uses.



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

August 10, 2006

TO: Plan Commission

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

SUBJECT: **415 to 419 West Dayton Street – Rezoning – R6 to PUD (GDP- SIP) – 20 Condominium Units**

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 spacing of access for driveways is an important element in planning, design, and operations of roadways. Access points are the main source of crashes and congestion. Their location and spacing directly effect the safety and functional integrity of the streets. The applicant has combined the truck service and parking ramp driveway approaches. The driveway shall be redesign to better define truck service and automobile ingress/egress. The applicant shall modify the two (2) driveway approaches according to M.G.O. 10.08(3)(c) Any two entrance shall be a least ten (10) ft. apart and in case less then sum of the approach flare or radii.
2. The applicant shall submit site plans for 423 & 425 West Dayton Street. The joint driveway and approach should be at least ten (10) ft. wide according to M.G.O. In addition, the applicant shall show the existing parking according to M.G.O. or note "According to Central Area Backyard Parking Standards."

GENERAL OR STANDARD REVIEW COMMENTS

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

3. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

4. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
5. The ramp down to the underground parking and its percent of slope shall be designed to accommodate low-clearance vehicles for a transition. The ramp breakover angle (limited by vehicle wheel-base and ground clearance) and angles of approach (affected by front overhang of vehicles) and departure (affected by rear overhang) are critical vehicle clearance points. Standards established by the Society of Automotive Engineers limit the ramp breakover angle to no less than 10 degrees; angle of departure, no less than 10 degrees; and angle of approach, no less than 15 degrees. The applicant shall provide a profile of the ramp showing the slopes critical clearance, when plans are submitted for approval. The applicant should explore ramp slopes (grades) less than 10 % that can be blended satisfactorily with an 8-foot transition length.
6. The applicant shall modify the driveway approaches according to the design criteria for a "Class III" driveway in accordance to Madison General Ordinance Section 10.08(4).
7. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
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: Gary Brink
Fax: 829-3056
Email: jjbrink@tds.net

DCD: DJM: dm

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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: July 19, 2006
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer *Larry Nelson*
SUBJECT: 415-419 West Dayton Street Rezoning, Demolition, Inclusionary Rezoning

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. Any damage to West Dayton Street pavement will require restoration in accordance with the City's Patching Criteria.
2. The City Engineer may allow a street excavation permit to be used in place of the Developer Agreement after consultation with the Developer. All requirements of the Developer Agreement including surety will apply to the street excavation permit if this is allowed by the City Engineer.
3. All roof runoff shall be collected and conveyed to public storm sewer.
4. 8" sanitary lateral will require a new manhole to be constructed over the existing 24" diameter main.
5. Situs address shall be 417 W Dayton St. Mailing addresses will need to be assigned to the individual units, contact Lori Zenchenko at 266-5952 to discuss an addressing plan.

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: 415-419 West Dayton Street Rezoning, Demolition, Inclusionary Rezoning

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. 16

- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
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- 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

- 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 replace public sidewalk along West Dayton Street. 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 _____.

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the restoration of the public right of way including any changes requested by the developer. The City Engineer shall complete the final plan for the restoration with input from the developer. The location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.

- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 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.
- 4.8 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.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 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.

- 4.11 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.
- 4.12 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.)
- e) Right-of-Way lines (public and private)
- f) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

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

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

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

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

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

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

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.

- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

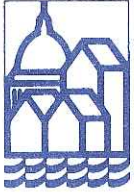
Sanitary Sewer

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

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Department of Public Works
Parks Division

City of
Madison



Madison Municipal Building, Room 120
215 Martin Luther King, Jr. Boulevard
P.O. Box 2987
Madison, Wisconsin 53701-2987
PH # 608 266 4711
TDD # 608 267 4980
FAX # 608 267 1162

September 12, 2006

TO: Plan Commission

FROM: Simon Widstrand, Parks Development Manager

S.W.

SUBJECT: **415-419 West Dayton Street**

1. Park fees totaling \$19,686.48 will be due prior to issuance of a building permit.

Park fees of \$19,686.48 are due for 20 multifamily units, minus credit for 4 existing mf and 3 singlefamily/duplex units:

Fee in lieu of dedication = (16 mf @ \$1218 = \$19,488) minus (3 sf/dp @ \$1914 = \$5,742) = \$13,746.

Park Development Fee = (16 mf @ \$524.16 = \$8,386.56) minus (3 sf/dp @ \$815.36 = \$2,446.08) = \$5,940.48

This development contains no private open space or recreational improvements that qualify for IZ credits.

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Simon Widstrand at 266-4714 or awidstrand@cityofmadison.com if you have questions regarding the above items.

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CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 8/11/06
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **415-419 W. Dayton St.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

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

1. None.

GENERAL OR STANDARD REVIEW COMMENTS

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

2. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure.
 - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
3. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path **traveled by the fire truck as the hose lays off the truck**. See MGO 34.20 for additional information.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

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TO: Members of the Plan Commission
FROM: Hickory R. Hurie
SUBJECT: Analysis of IZ Waiver Request for 415-419 West Dayton
DATE: September 14, 2006

SUMMARY:

McCaughey Properties LLC, proposes a 20-unit condominium development at 415-419 West Dayton Street. This is a 13,065 square foot site.

McCaughey seeks a full waiver of the inclusionary zoning requirements for the project due to the tight site constraints, projected costs of the building, and the lack of financial feasibility due to the limited density of the project..

Staff recommend Plan Commission consideration of a waiver of one of the three required on-site inclusionary units, and the substitution of a payment in lieu for the third unit based on the extraordinary costs and the current zoning limitations.

This analysis for an inclusionary zoning waiver is based upon data furnished by the developer and by the Planning Unit during June and July 2006.

METHOD OF ANALYSIS:

The Council adopted a waiver provision as part of the inclusionary dwelling unit ordinance that requires an analysis of project financial feasibility. The method consists of running three or more scenarios, using data provided by the developer. The first run is based upon a scenario whereby the project, using current zoning levels, is set at market rate rentals. If this version is financially feasible according to the standards adopted by the Common Council, the project is then run with the full 15% inclusionary dwelling units included in the project. If this full IZ scenario does not meet the Council standards for financial feasibility, staff are to recommend a third 'waiver' scenario with attributes (a combination of a partial percentage of IZ units, with units off-site, or payment in lieu of units on-site or reduction of expected number of units) that will provide a sufficient return for financial feasibility.

MARKET RATE SCENARIO:

The IZ ordinance suggests that the market rate scenario should be run within the density of the current zoning classification for the parcel. According to Planning Unit staff, the current zoning for this site permits up to 20 dwelling units on the site. Running the full-market rate scenario at the current zoning density yields a project with a gross profit margin of 17%

This 'market' run yields a gross profit margin that permits the project to qualify for a waiver under the feasibility standards adopted by the Common Council.

IZ SCENARIO:

Using the above conclusions, we ran several scenarios with the same cost assumptions but with the density requested by the developer, and the inclusion of the affordable units.

This second scenario, with no additional market rate units and the 3 inclusionary units (15% of 20 units) yields an internal rate of return of 12%, slightly under the feasibility standards of 12.5% to 17.5% adopted by the Council.

MODIFIED IZ SCENARIOS WITH FEWER IZ UNITS OR PAYMENT IN LIEU:

Staff discussed other options of providing the inclusionary units with the developer and concluded that the provision of new off-site units was not likely, given ownership control in the area.

Using the above conclusions, we ran one additional scenario with the same cost assumptions but a combination of two on-site inclusionary units and a waiver payment.. The waiver payment was calculated on a formula defined in the ordinance (10% of the average projected value of all units in the

development). This scenario produced a gross profit margin of 13.5%, a margin within the standard adopted by the Common Council for for-sale developments.

CONCLUSION:

According to the ordinance provisions, the project does meet the initial standards of financial feasibility for a market rate project at the density levels permitted under the current zoning. However, the proposal with a full 15% of the units at inclusionary prices does not fall within the gross profit margin standards adopted by the Council, but a combination of two on-site iz units and a payment in lieu for the third does meet the gross profit margins for feasibility established by the Council. Hence, staff recommend a partial waiver of one onsite unit, and the provision of two on-site iz units and a payment in lieu of \$22,375.

Note: Part of the logic inherent in the discussions leading up to the adoption of the IZ ordinance suggested that the City should not be helping an infeasible project at market rate become feasible by waiving one of the primary City public goals (affordable units within larger projects leading to economically integrated neighborhoods.)