



Report to the Plan Commission

July 23, 2012

Legistar ID # 26851 & 27081

541-553 West Doty & 211 South Bedford Streets

Demolition and PUD Zoning Map Amendment

Report Prepared By:

Kevin Firchow, AICP

Planning Division

Requested Action: The applicant requests approval to demolish five (5) residences and one (1) commercial building at 541-553 West Doty Street and 211 South Bedford Street and rezone the properties from R6 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) for the purpose of constructing a four story, 58-unit apartment building.

Applicable Regulations & Standards: This project is subject to the standards for demolitions, zoning map amendments, and planned unit developments. Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits. Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) provides the requirements and framework for Planned Unit Developments.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the requested demolitions for 541-553 West Doty Street and 211 South Bedford Street. Further, the Division recommends that the Plan Commission find that the applicable zoning map amendment and planned unit development standards are met and forward Zoning Map Amendment 3616, rezoning 541-553 West Doty Street and 211 South Bedford Street from R6 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Applicant / Contact: John W. Sutton; Sutton Architecture; 104 King Street; Madison, WI 53703

Owner: Les Orosz; 505 University Avenue; Madison, WI 53703

Proposal: The applicant proposes to demolish five (5) residences and one (1) commercial building for the purpose of constructing a four-story, 58-unit apartment building. Staff also note that two large trees at the back of the site, with diameters exceeding 40 inches are proposed to be removed.

Parcel Locations: The subject site includes six (6) parcels located at the corner of West Doty and South Bedford Streets. The property is within Aldermanic District 4 and within the limits of the Madison Metropolitan School District.

Existing Conditions: The subject site includes four (4) two-unit structures, one (1) three-unit building, and one (1) commercial building. Further information on existing conditions is contained within the body of this report.

Surrounding Land Use and Zoning:

North: Properties on the opposite side of Doty Street include residential properties ranging from two to 18 unit buildings. These properties are zoned R6 (General Residence District) The Bedford Street Condominiums, zoned PUD-SIP, is a three-story, 52-unit development also located in the block, in close proximity to the subject site.

South: Single, two, and three family homes are south of the subject site, on the remainder of this block. These properties are also zoned R6.

East: Residential properties including two (2) four-unit buildings with a 27-unit building, beyond. These properties are zoned R6.

West: On the opposite side of Bedford Street is an approximately 6,000 sf one-story law office building, zoned M1 (Limited Manufacturing District). The WORT radio station building is across Bedford Street on the north side of Doty Street. The 4th Ward Lofts, a 74-unit, four-story building is beyond.

Adopted Land Use Plan: The Comprehensive Plan includes the subject site within the Mifflin-Basset Sub District. This recommendation includes multi-unit high-density residential development (up to 60 or more dwelling units per acre) with a general height recommendation of two to four stories. The Bassett Neighborhood Master Plan, includes this area within the “Bassett Residential District” which recommends residential rehabilitation and new infill development in scale with the existing neighborhood.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Zoning Summary: These properties are proposed to be rezoned to the PUD district. As there are no predetermined bulk requirements, this project is being compared to the R6 standards for comparative purposes.

Requirements	Required	Proposed
Lot Area	29,100 sq. ft.	22,011 sq. ft.
Lot width	50'	Adequate
Usable open space	4,340 sq. ft.	9,044 sq. ft.
Front yard	20'	5'
Side yards	21' (11'+10' D.P.) L	11.66' R, 5' L
Rear yard	30' or 45% bldg height	5.22'
Floor area ratio	2.0	2.2±
Building height	187.2' city datum	4 floors, 48'8" ±
Number parking stalls	0 stalls	71 stalls (interior)
Accessible stalls	3 stalls	2 stalls
Loading	1 (10' x 35') area	1 (10' x 35')
Number bike parking stalls	62 spaces	98
Moped/motorcycle parking	0 stalls	None shown
Landscaping	As shown	Adequate
Other Critical Zoning Items	Urban Design, Barrier free (ILHR 69)	

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

Project Review

The applicant requests approval of a demolition permit and rezoning to the PUD-GDP-SIP District (Planned Unit Development-General Development Plan-Specific Implementation Plan) to demolish five (5) residences and one (1) commercial building to allow the construction of a 4-story, 58-unit structure. This request is subject to the demolition, zoning map amendment, and planned unit development approval standards.

Buildings Proposed For Demolition

There are six (6) total buildings proposed for demolition. Staff has not conducted a formal inspection of any of the structures, though the buildings appear to be in at least average condition. The applicant indicates that each of the buildings is in generally fair condition structurally. Architecturally, they have been stripped of any original features. For example, the applicant notes stone foundations have been parged over and all building have had vinyl siding installed. Windows have been replaced, eliminated, or reduced in size and the existing porches have been enclosed.

The applicant further notes that as this has been primarily student housing, interior finishes are very worn. Most roofs are at the point they would have needed replacement. However, most mechanical systems have been updated and will be recycled.

The applicant indicates that the most significant issue with the existing structures is that they don't meet current market needs. He notes that students are moving closer to campus and this is not the type of housing that the current market is looking for.

Exterior photos of the buildings can be viewed online from the following website:
http://www.cityofmadison.com/planning/projects/reports/541wds_photos.pdf

- **541 West Doty Street.** This building is a two-unit residential structure, built in 1912 according to City Assessor records. The structure has four (4) bedrooms and is 1,308 sf in area.
- **543 West Doty Street.** This building is a two-unit residential structure, built in 1872 according to City Assessor records. The structure has four (4) bedrooms and is 1,804 sf in area.
- **545 West Doty Street.** This building is a two-unit residential structure, built in 1889 according to City Assessor records. The structure has four (4) bedrooms and is 1,800 sf in area.
- **549 West Doty Street.** This building is a three-unit residential structure, built in 1912 according to City Assessors records. The structure has nine (9) bedrooms and is 3,016 sf in area.
- **553 West Doty Street.** This building is a Quanset-type commercial building, used as a laundromat. The property was constructed in 1948 and is 1,189 sf in area.
- **211 South Bedford Street.** This building is a two-unit residential structure, built in 1904 according to City Assessor records. The structure has three (3) bedrooms and is 1,769 sf in area.

As with all demolition requests, these were presented by the Preservation Planner to the Landmarks Commission for informational purposes. No comments were provided by the Landmarks Commission. The City's Preservation Planner has reviewed the request and does not have objections. Her report is attached.

Summary of Proposal

The proposed building is a four-story, 58-unit structure with two levels of underground parking. There are 54 one-bedroom units and four two-bedroom units, providing a total of 62 bedrooms. Units range in size from 440-1,200 square feet. The building also includes a fitness center for residents. According to the letter of intent, the target market for the units is “young professional” residents.

The building is clad in a combination of brick, horizontal fiber cement siding, and metal panels. The façade is articulated through several recesses and projections. The three story projections closest to the street are clad in brick with the other materials lining the balance of the façade. The ground floor of the building is setback roughly five feet from the sidewalk edge with larger recesses located along both the Doty and Bedford frontages.

The main entrance to the building is located on Bedford Street, though the ground floor units include individual unit entrances. The parking garage is also accessed from Bedford Street as is a separate loading zone along the building’s south side. Plans show the first floor of the building is approximately 4-5 feet above the sidewalk grade. The landscape plan shows a variety of foundation plantings between the sidewalk and the street. A landscaped courtyard is located along the south east corner of the building.

A summary of key development statistics is below:

	Proposed	Comments
Number of Units	58 Units	
Number of 1 Bedroom Units	54	Includes 4 one-bedroom + den units
Number of 2 Bedroom Units	4	
Number of Bedrooms	62	
Density – Units / Acre	116 du/ac	
Density – Bedrooms / Acre	124 du/ac	
Building Size	75,585 sf	Includes underground parking
Building Height	4 Stories, approximately 44 ft.	
Lot Coverage		
Useable Open Space	9,044	
Automobile Parking Stalls	70	
Bicycle Parking Stalls	90	
Moped Parking Stalls	0	

Project Analysis and Conclusion

The proposed project could not be constructed under the existing R6 (General Residence District) zoning as it does not meet the standards for setbacks, lot area, or floor area ratio (FAR). As such, the applicant has requested rezoning to the Planned Unit Development (PUD) zoning district.

Planned unit developments are intended to promote improved environmental and aesthetic design by allowing for greater freedom, imagination, and flexibility compared to conventional zoning districts. In making their recommendation to the Council, the Plan Commission will need to consider whether the proposal is consistent with the Comprehensive Plan, the general zoning map amendment standards, the PUD approval standards. The Plan Commission would also need to find the demolition standards are met prior to granting the requested demolition permits.

Adopted Plan Recommendations

The Comprehensive Plan includes the subject site within the Mifflin-Basset Sub District. This recommendation includes multi-unit high-density residential development up (up to 60 or more dwelling units per acre) with a general height recommendation of two to four stories. The Bassett Neighborhood Master Plan, adopted in 1997, includes this area within the “Bassett Residential District” which recommends residential rehabilitation and new infill development in scale with the existing neighborhood. That plan recommends densities up to 40 units an acre. Staff acknowledge that this proposal exceeds this general density recommendation, but note that other projects within the Bassett Neighborhood have been approved with higher densities including the Lake Park Apartments at 451 W Wilson (114 dwelling units per acre), City Place Apartments at 432 W. Main Street (72.2 du/ac), the apartments in the Tuscan Place at 450 W. Main Street (92.3 du/ac), and the Bel Mora Apartments at 544 W. Main Street (80.5 du/ac).

For the Bassett Neighborhood, the recently adopted Downtown Plan acknowledges the continuation of selective redevelopment that is compatible with the scale and character of existing buildings, noting that larger buildings should be directed to the ends of blocks.

Design Considerations

The Urban Design Commission (UDC) granted initial approval of this application at its June 6, 2012 meeting. Those minutes are attached. Comments on the project were generally very favorable.

Staff is generally supportive of the project design, and believes the project is similar in size and character to other larger residential developments in the surrounding blocks. In pre-application meetings with the applicant staff raised questions on a few design-related issues. One issue was the treatment of the Bedford and Doty corner of the building, especially as it relates to the screening of the Doty Street-facing balconies. This area is proposed to be screened with an extension of the cement board-sided wall, with punched openings. During the pre-application meetings, staff suggested alternative approaches be considered, with the project architect indicating a preference for the current concept. Staff also raised questions on the balcony railings, proposed to utilize a nearly opaque metal grate. While certainly a unique treatment, staff was concerned it may appear to be visually “heavy”, potentially lessening the visual impact of the building recesses in which the balconies lie. The architect was in support of this detail as proposed.

Final approval by the Urban Design Commission is required. Staff is not conditioning its recommendation on specific changes to address the above-mentioned issues. Staff understands that such issues were discussed in concept with the UDC at the meeting they granted initial approval. Staff do recommend that details related to the above are presented to the Urban Design Commission as part of the materials provided for their final approval.

Planned Unit Development Standards and Zoning Map Amendment Standards

The Planned Unit Development (PUD) approval standards include the character and intensity of land use, economic impact, maintenance of open space, and the project’s implementation schedule. Staff believe the PUD standards can likely be met.

Considering the character and intensity of land use, staff note the surrounding blocks include great variation in the age, size, and architectural style of buildings. Four-story buildings are at the top of the recommended height range in the area. In regards to setbacks, the building has a setback of five feet along both Bedford and Doty Streets. This is a smaller setback than found on the rest of the block.

Newer, similarly scaled buildings in the immediate area including the Bedford Court Condominiums and the 4th Ward Loft Condominiums have street setbacks of roughly 16 and 10 feet, respectively. The applicant indicated in pre-application meetings with staff that the prominent entry recess on Bedford Street and the larger recess on Doty Street are intended to break up the building mass. It was also noted that there are other smaller recesses on both facades, intended to provide some further relief. Finally, staff note that only the three-story elements of the building will be set back five feet. The four story elements are setback 10 feet.

Also related to the intensity of the development is the provision of adequate on-site infrastructure, including parking. Staff note that with 70 stalls, there is over one vehicle stall per bedroom. There are 90 bicycle parking stalls proposed, well in excess of the one-per-bedroom guideline often recommended for downtown residential developments. The applicant has indicated that some of the bicycle parking could be converted to moped parking, should such a demand arise. Staff does not know what the exact moped demand would be, noting that the amount of moped parking provided in recent downtown area projects has varied considerably. Staff have recommended a condition that would allow staff to require the conversion of moped parking to bicycle parking, should it appear additional moped parking is necessary.

Staff also note that the project provides a relatively generous amount of useable open space including the individual unit balconies and the rear 3,564 patio area. Based on information by the applicant and review by City Zoning, the project provides double the useable open space that would be required under the existing R6 zoning.

Demolition and Removal Standards

This proposal is also subject to the demolition and removal standards of the Zoning Ordinance. In considering these standards, the Plan Commission must find that the proposed demolitions are both 1) consistent with the intent and purpose of the zoning district and 2) that the proposed future use is compatible with the purpose of the demolition section of the ordinance. Regarding the former, staff note that as this request is proposed in conjunction with a PUD zoning map amendment, that portion of the standard can likely be met.

Regarding the latter, the Statement of Purpose of the demolition section states, in part, that the purpose of these standards are to aid in the implementation of adopted City Plans, protect neighborhood character, preserve historic buildings, and encourage the relocation of existing buildings. As noted above, staff believes the new building is generally consistent with the adopted plan recommendations, though the density exceeds that in the neighborhood plan and setbacks are bit smaller than what is found in the surrounding context. Considering the general consistency with the plans and the favorable recommendation from the Urban Design Commission, staff believes the demolition standards can likely be met.

Public Input

At the time of report writing, staff has received correspondence from the Bassett Neighborhood, indicating their support for the project. This correspondence is attached. No other comments have been provided to staff.

Other Approvals

As noted in the conditions of approval, a Certified Survey Map will be required to combine the six (6) subject parcels into one lot.

Conclusion

Staff believes the project can likely meet the applicable approval standards. The proposal is consistent with some, but not all adopted plan recommendations for the area. Generally speaking, the bulk and mass are comparable to other larger projects approved in the area. Staff also note the project appears to provide adequate parking for bike and vehicles and provides useable open space well in excess of what would be required under conventional zoning.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** the requested demolitions for 541-553 West Doty Street and 211 South Bedford Street. Further, the Division recommends that the Plan Commission find that the applicable zoning map amendment and planned unit development standards are met and forward Zoning Map Amendment 3616, rezoning 541-553 West Doty Street and 211 South Bedford Street from R6 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

1. That the applicant receives final approval from the Urban Design Commission prior to final sign-off and recording of this PUD. Staff recommend the materials provided for this approval include the details on the balconies and balcony screening provided on the Bedford Street elevation at the Doty corner.
2. That if the Traffic Engineer and Zoning Administrator determine that the project needs additional moped parking, they shall have the ability to require the conversion of automobile parking to provide additional moped parking. This provision shall be included in the zoning text.

The following conditions have been submitted by reviewing agencies:

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

3. This proposed PUD-GDP-SIP requires a Certified Survey Map (CSM) application be made to the city of Madison, approved and recorded with the Register of Deeds prior to issuance of any building permits for new construction. Engineering will make detailed comments regarding the CSM when that application is made.
4. The apartment numbers shown on the floor plans submitted with this application are not valid for city of Madison addressing purposes. Submit floor plans in PDF format to Lori Zenchenko (LZenchenko@cityofmadison.com) to coordinate an addressing plan for this site. Final approved addresses shall be shown on the final approved site plan floor plans.
5. The base situs address for the proposed apartment building will be 201 S. Bedford Street.

6. Clearly show any City terrace trees that are planned for removal. Sheet A1.3 suggests removal of the three existing terrace trees and replacement with new trees.
7. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project. (MGO 16.23(9)c)
8. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
9. The approval of this Conditional Use or PUD does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester. (MGO 16.23(9)(d)(6))
10. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
11. The applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
12. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system. (POLICY)
13. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
14. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. (POLICY)
15. All damage to the pavement on S Bedford Street and W Doty Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

16. 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.
17. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
18. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
19. Prior to approval of the 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. (POLICY)This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
20. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
21. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)

Traffic Engineering Division

Comments were not provided in time to be included in this report.

Fire Department (Contact Bill Sullivan, 261-9658)

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

23. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

24. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503

Zoning Administrator (Contact Pat Anderson, 266-5978)

25. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
26. Sec 28.12(12)(e) of the Madison Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
27. Bike parking shall comply with City of Madison General Ordinances Section 28.11.
28. Provide sixty-two 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.
29. Identify Useable Open Space areas on building plans and provide area calculations when SIP is submitted for final approval.
30. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide three accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stalls.
 - c. Show the accessible path from the stalls to the elevator. Parking stalls shall not block the entry to the elevators.
31. Show addresses of tenant spaces on the building of the final site plan pursuant to City of Madison General Ordinances Section 10.34 (2)

Water Utility (Contact Dennis Cawley, 261-9243)

32. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

Parks Division (Contact Kay Rutledge, 266-4714)

33. The developer shall pay approximately \$106,216.24 for park dedication and development fees for the new 58 MF unit building after a credit is given for the existing 11 MF units currently located in five buildings on the property.
34. The developer must select a method for payment of park fees before signoff on the SIP.
35. 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.
36. This development is within the Vilas-Brittingham impact fee district (SI27).