

July 27, 2015

To: Plan Commission

From: Levi Funk

Subject: Response to comments regarding the request for PD Alteration.

I have read the comments submitted by both the City of Madison Planning Division and Zoning Administration. The following is my response to some of the issues they brought up.

Planning Division recommends that you to look at the 1981 PUD creation to see if there was intent to create parking at 403 W Doty. I contacted Paul Soglin (who headed up the State Bar's expansion project in 1981) and he said this about the PUD:

"I believe the conclusion was that the State Bar owned the Doty buildings and were allowed to use their rear lots for parking for occupants of their office building. I can recall no details of any arrangements made for parking for the residents of the Doty Street properties."

The 1981 PUD made no mention either for or against parking for 401 and 403 W Doty. 35 years ago the city considered the Bassett Neighborhood to be student rental properties and owner occupancy was not a priority. That is the exact problem I am trying to fix today.

I believe this PUD is outdated and should not be used as a reference point for your decision. I want you to instead look at the 1997 Bassett Neighborhood Plan that was drafted, in part, to fix the errors that occurred in the 80's.

Bassett Neighborhood Master Plan Goals

The primary goal for the Bassett Neighborhood is to create a stable, long-term residential population while maintaining the historic scale and character of the neighborhood.

Goal #1 - "Promote owner-occupied and long-term rental housing opportunities."

I want you to instead look at the comments filed by the Bassett Neighborhood Association and my immediate neighbors.

I also want you to look at the actions taken by the City of Madison through their Small Cap TIF program. In 2007 the city put up \$400,000 in forgivable loans to convert student rental housing into owner occupied houses in the Bassett Neighborhood.

It is clear that, even at considerable cost, owner occupancy should be encouraged in the Bassett Neighborhood.

Zoning has voiced an objection to this parking space, but I believe there are a few errors in their understanding of the property.

- 1.) Unless I am somehow mistaken, the current curb cut is owned by 407 W Doty.
- 2.) If the survey pin in the driveway is accurate (and the survey map seem to confirm it is), my property line includes at most 2' of the 10' wide driveway allowing 407 to park a car wholly on their property. However, if zoning is suggesting that this 2' means the curb cut should be shared access, I would like the ability to explore this further.

- 3.) If a new curb cut is required, this is not an unusual condition for this area as both the McDonell's (404 W Doty) and the Schauf's (401 W Doty) have recently had curb cuts added to their properties.

The other thing Zoning has expressed is a disbelief in my analysis of the downtown properties that would be affected by your decision to approve this parking space. I believe this is because when I initially set out to look into how many PD exist, I requested that information from Zoning. What they provided me with was a Microsoft Word document that is used for internal reference. I am an Economist and am use to dealing with very large datasets. I contacted the City Assessor's Office and was able to download a clean and complete database of all the PD Zoned properties in Madison (which I have emailed to Zoning). In addition to listing these properties, the dataset has many fields describing the properties. The key descriptive fields I used were Address, Property Class, Property Use, Zoning 1, Ward, Garage 1, and Driveway.

1. I started with **Zoning 1** field. There are 14,691 properties with the PD zoning.
2. Since we are not interested in the Commercial properties, I removed those using the **Property Class** field. There are 13,337 Residential PD properties.
3. Many of these Residential properties are Condominiums, so I removed those from the list (as well as vacant lots) using the **Property Use** field. There remain 4,154 Residential Non-Condominium PD properties.
4. Fortunately the database has the property's **Ward** number listed, so I didn't have to go through these individually to find out which were located downtown. To make sure I was all-encompassing, I included wards 42-68 as my "Downtown" area. There are 100 Downtown Residential Non-Condominium properties zoned PD.
5. So the question is how have these properties faired through the development process and what is their current parking situation? We can use the **Garage 1** and **Driveway** fields to see if there is a legal parking space for them. Of these 100 properties, 36 have a Garage and 33 have a Driveway. Another 10 are on the 300 block of W Doty and W Wilson and are a part of a shared backyard parking and garage project. This leaves only 21 locations without any parking.

I understand there is a fear that allowing my parking space will result in many other people to file for front yard parking space, so I've taken a close look at these 21 locations. These are the properties that, like my property, were likely zoned PD because of a larger neighboring development that required more land. The needs of the new development were placed above the existing home and its ability to encourage owner occupancy.

Immediately, I see that one of these locations (39 N Randall) was demolished for a larger development and another (1225 St James Ct) was demolished and rebuild with an attached garage. Of the 19 remaining, the following 15 properties do not have the front yard set-back to even make a parking spot possible.

- 1 520 E Johnson St
- 2 101 N Franklin St
- 3 510 E Mifflin St
- 4 515 E Mifflin St
- 5 21 N Franklin St
- 6 1220 Mound St

- 7 1207 Mound St
- 8 1211 Mound St
- 9 414 W Johnson St
- 10 431 W Dayton St
- 11 8 N Broom St
- 12 214 S Henry St
- 13 202 S Henry St
- 14 408 N Frances St
- 15 1019 Spring St

The remaining 4 properties are listed below with my notes.

1. **1047 E Wilson St**

Though there is no mentioning of shared driveway or parking, the property appears to have both. This is also in Ward 42, the most eastern ward I included.

2. **1236 Mound St**

Upon closer inspection, it appears this property only has about 12' in front of the house. This would not be adequate space to park a car.

3. **625 E Gorham St**

This property appears to be set back 17' from the sidewalk. In the Planning Division's comments they suggested a minimum 18' deep space so as to ensure parking would not encroach on the sidewalk. However, my 17' measurement is not 100% accurate and there may be enough space even still to support parking. This is the only other space in the city that I could find that would be affected by your approval and would require further examination should the owners pursue it.

4. **403 W Doty St**

This is my property and the parking space in question. According to the City Engineering Division I have an 18.5' deep set back from the property line. This satisfies the Planning Division's recommendation for at least 18'. We have parked our full-size sedan on this space with no obstruction to the sidewalk and room to spare.