



Report to the Plan Commission

February 9, 2009

Legistar I.D. #13110
904 - 906 Regent St. / 909 - 913 College Ct.
Demolition and (PUD) Zoning Map Amendment

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval to demolish four (4) buildings and rezone the property from R5 (General Residence District) and C3 (Highway Commercial District) to PUD-GDP-SIP (Planned Unit Development- General Development Plan – Specific Implementation Plan) to allow construction of a mixed-use building with 65 apartments and 4,200 square feet of retail.

Applicable Regulations & Standards: This project is subject to the standards for demolitions, zoning map amendments, and planned unit developments. Section 28.12 (12) of the Zoning Ordinance 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: Subject to input at the public hearing, the Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** demolition permits for the four structures noted in this report. The Division further recommends that the Plan Commission find that the standards for zoning map amendments and planned unit developments are met and forward Zoning Map Amendment 3405, rezoning 904 & 906 Regent Street and 909-913 College Court from C3 (Highway Commercial District) and R5 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan), with a recommendation of **approval**, subject to input at the public hearing and the conditions recommended by reviewing agencies.

Background Information

Applicant: Tom Degan, Park and Regent Development, LLC; 3518 Blackhawk Drive; Madison, WI 53705

Agent / Contact: Stu LaRose, Eppstein Uhen Architects, Inc.; 333 E. Chicago Street; Milwaukee, WI 53202

Property Owner: Same as Applicant

Proposal: The applicant proposes to demolish three (3) residences and a fire-damaged commercial structure ("Josie's") for the purpose of building a six-story mixed-use building with 65 apartment units, 4,200 square feet of retail, and underground parking. The applicant wishes to begin construction during Summer 2009, with completion scheduled for July 2010.

Parcel Location: The subject site is an approximately 0.42 acre site at the northwest corner of Park and Regent Streets, currently comprised of four parcels. The site is located in Aldermanic District 8; Madison Metropolitan School District.

Existing Conditions: The site is occupied by three (3) single-family residences fronting College Court and a fire-damaged, one-story commercial building and asphalt parking lot fronting the corner of Park and Regent Streets.

Surrounding Land Use and Zoning:

- North: Three story, 52-unit apartment building; zoned PUD-SIP (Planned Unit Development – Specific Implementation Plan);
- South: Meriter Hospital; zoned C2 (General Commercial District);
- West: One and two story retail and office uses; zoned C3 (Highway Commercial District); and
- East: UW Administrative Building (21 N Park Street); zoned PUD-SIP.

Adopted Land Use Plan: The Comprehensive Plan recommends neighborhood mixed use and medium density residential uses for this site. The Regent Street-South Campus Neighborhood Plan shares this general land use recommendation and provides detailed guidelines on building form and placement. Further discussion is found in this report.

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: Since this project is being rezoned to the “PUD” district, and there are no predetermined bulk requirements, zoning staff have reviewed it based on the criteria for the R6 district, because of the surrounding land uses.

Bulk Requirements	Required	Proposed
Lot Area	45,150 sq. ft.	18,457 sq. ft.
Lot width	50'	Varies
Usable open space	12,180 sq. ft.	1,290 sq. ft. (roof)
Front yard	20'	3'
Side yards	15' each side (R-6)	0" RS/ 2'8" LS *
Rear yard	30 or (45% of bldg ht.) 35.6'	1' 4" . + -
Floor area ratio	2.0	4.7
Building height	187.2' city datum	TBD (Comment # 41, p.12)
Number parking stalls	79	53
Accessible stalls	1	2 (Comment # 46, p.12)
Loading	1 (10' x 35') area	TBD (Comment # 43, p.12)
Number bike parking stalls	70	86 (Comment # 45, p.12)
Landscaping	Yes	(Comment # 44, p.12)
Lighting	Yes	State building codes
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

* The western (LS) side yard setback has been increased to 3" 10 1/8" on the most current plan set, approved by the Urban Design Commission.

Project Review

The applicant proposes to demolish three (3) residences and a fire-damaged commercial structure ("Josie's") for the purpose of building a six-story mixed use building with 65 apartment units, 4,200 square feet of retail, and underground parking. This proposal requires approval of four (4) demolition permits and a zoning map amendment, as described below.

Demolition Request

There are four (4) structures proposed for demolition and the applicant has provided interior and exterior pictures of each building. The buildings include the three (3) small frame single-family residences located at 909, 911, and 913 College Court. City records indicate these structures were built in 1928. The applicant notes several deficiencies with these residences including significant roof deterioration, obsolete electrical systems, inefficient HVAC systems, lack of insulation, and poor foundation engineering that has led to extensive settling. This settling, as noted by the applicant, has caused sagging floors, falling plaster ceilings, poorly fitting windows and doors, and other concerns as noted in the attached correspondence.

The fourth building proposed for demolition is the former site of "Josie's" restaurant. This one-story stone-faced building was built in 1941 as Jimmie's Restaurant. The building was seriously damaged by fire about three years ago and has been for sale since. The applicant believes the fire damage has significantly compromised the mechanical, electrical and roof systems, making the building functionally obsolete.

The City's Preservation Planner does not believe that the residences have architectural or historic significance and does not recommend that the Josie's building be required to be saved.

Zoning Map Amendment Request

The applicant's second request is to rezone the property to PUD-GDP-SIP (Planned Unit Development-General Development Plan – Specific Implementation Plan). The two parcels fronting Park and Regent Streets (904 and 906 Regent) are currently zoned C3 (Highway Commercial District). The three parcels fronting College Court (909, 911, and 913 College Court) are now zoned R5 (General Residence District).

The proposed rezoning would allow for construction of a six-story mixed-use building with underground parking. The lower level plan includes 35 underground parking stalls, accessed from College Court. The ground floor plan shows approximately 4,200 square feet of retail space fronting onto Regent and North Park Streets. The rear of this level includes an additional 18 parking stalls, enclosed within the building. A courtyard area is also proposed. Building plans for floors two through four are identical, with each level including six (6) two-bedroom units, six (6) three-bedroom units, and one (1) five-bedroom unit. The fifth and six floors each include two (2) one-bedroom units, four (4) two-bedroom units, six (6) three-bedroom units, and one (1) five-bedroom unit.

Based on a site area of 0.42 acres, the proposed project has a density of 155 units per acre.

Total unit count for the building includes:

	Total Units (All Floors)	% of Total Units	Total # of Bedrooms
One-Bedroom Units	4	6%	4
Two-Bedroom Units	26	40%	52
Three-Bedroom Units	30	46%	90
Five-Bedroom Units	5	8%	25
Total	65	100%	171

The site plan shows that the building covers nearly the entire project site, with minimal setbacks proposed. The largest setback is proposed along Regent Street, where the building is set back a minimum of three (3) feet. This setback has a small amount of variation and some portions of that building wall have a setback that exceeds three feet. The building's western side is set back approximately four feet from the property line, providing a small amount of separation between that and an existing building to remain. A 10-inch setback is proposed along the portion of Park Street nearest to Regent Street. A 10-foot recessed covered-area is proposed for bike parking at the corner of Park Street and College Court. The building is otherwise set back just over a foot along College Court. Additionally, these plans show two encroachments into the public right-of-way. Recommended conditions relating to these encroachments are discussed in the Project Analysis section of this report.

The building elevations have undergone some small revisions and the most current plans are attached. These were granted final approval by the Urban Design Commission on January 21, 2009. The building has a highly transparent ground level with a stone base and accents along much of the Regent and Park Street retail frontages. The body of the building is primarily clad in masonry. The corner of Park and Regent Streets is marked with a tower element with substantial window coverage. The balance of the tower is clad in metal panels that are similar to those marking the top of the structure. Storage and structured parking areas are clad in masonry, matching the body of the building.

Project Analysis

Conformance with Adopted Plans

The Comprehensive Plan provides two primary land use recommendations for this site. Along Regent and Park Streets, the plan recommends neighborhood mixed-use development. Along College Court, the plan recommends medium density residential uses. The proposed project is consistent with these general recommended uses, and meets several guidelines including placing well-designed mixed-use buildings close to the street and providing underground parking. The proposed density of 155 du/ac (dwelling units per acre) exceeds the 40 du/ac generally recommended for both land use categories. However, as a general policy guide, the Comprehensive Plan recommends significant changes in land use or intensity be guided by a detailed City-adopted neighborhood plan and be compatible with the scale and character of the neighborhood.

The Regent Street-South Campus Neighborhood Plan, adopted in 2008, references the general land use recommendations in the Comprehensive Plan and provides very detailed guidelines on building bulk, form, and placement. No specific density recommendations are provided, but the neighborhood plan states that:

“The more intense development at the intersection of Park and Regent Streets is intended to integrate into the high intensity environment along Park Street...In order to create a more unified corridor along Park Street, the identified node will have to increase in intensity, building mass, and density to match that of the existing Park Street Corridor.”

The proposed project is consistent with many, but not all of the detailed building guidelines recommended in the neighborhood plan for this site. At six (6) stories (72 feet), the proposed building is well within the 3 - 10 story (144 feet) recommended height limit. Considering the close proximity of higher-density campus housing and neighborhood plan references to increased density and intensity, staff do not believe the proposed density would be problematic or inconsistent with the plan's recommendations. The quality of the development becomes a key consideration and staff note that many of the specific architectural details are consistent with features recommended in the plan. These are discussed in the following section.

In considering setbacks, the proposed three-plus foot setback proposed on Regent Street is consistent with the Plan's recommendation to widen Regent Street's narrow pedestrian zone by requiring an additional three (3) feet of private property to create room for a minimum five (5)-foot wide sidewalk and a six (6)-foot wide public amenity zone. The plan also recommends that the building be set back 10 feet from the Park Street right-of-way to allow for pedestrian-zone enhancements. The applicant's proposal is not entirely consistent with this recommendation. Roughly one-third of the building, including the prominent front projection does not meet this guideline. The area proposed for covered bike parking could be argued meets this recommendation along the first floor. The primary reason for the setback along Park Street in this area was to help mitigate the allowed 10-story building in this area from looming over the sidewalk. At 72 feet in height, the proposed building is half of the 144-foot maximum recommended by the plan and at this scale, does not appear to crowd the sidewalk.

The other inconsistency between this proposal and the neighborhood plan are the setbacks and stepbacks proposed along College Court. This fairly narrow street has a right-of-way of 42 feet. The plan recommends a ten-foot building setback along this frontage with an additional 15-foot stepback above the third floor. The proposed building is set back just over a foot from the right-of-way and does not have a stepback. Staff discussed this issue with the applicant, and the project architect has indicated that it would not be feasible to meet these guidelines and proceed with the project. The applicant notes that they would lose 28 vehicle and 26 bike parking stalls and would need to reduce the size of 12 upper-floor units to the point where there would be inadequate living room and kitchen depth. Further correspondence from the project architect regarding this issue is attached. Staff notes that another recommendation in the neighborhood plan is that new development provides parking sufficient to meet the anticipated demand.

To address concerns on this issue, the applicant has prepared a series of “shadow studies” showing the impacts of the proposed building compared to a 10-story building consistent with the College Court setback and stepback recommendations. These studies are attached and indicate that the proposed building would cast a smaller shadow onto College Court and adjacent properties than the taller building meeting the recommended height, setback, and stepback guidelines.

Staff also note that the College Court Apartments, which sit across College Court from the project site are set back approximately 15 feet from the right-of-way, five (5) feet more than the Plan's recommended setback. If this proposal were approved, this would leave approximately 58 feet between the building faces. This is only four (4) feet less than the minimum 62 feet recommended between buildings at this site. Staff also note that the ground floor of the building is pulled back from the sidewalk to allow for the covered bike-parking at the College Court and Park Street intersection. This may somewhat lessen the mass of the building at the ground floor, especially for pedestrians.

Considering the large developments already at this intersection, staff further believe the project is generally compatible with the overall scale and character of the neighborhood.

Design Considerations

The Urban Design Commission granted initial approval of this project on December 17, 2008 and final approval on January 21, 2009. Their reports are attached. Among the buildings most distinguishing features is the prominent tower element marking the corner of Regent and Park Streets. Staff note that many of the specific design elements recommended in the Regent Street-South Campus Neighborhood Plan are reflected in this proposal.

- The prominent tower element marking the building entrance provides a “dominant corner entrance” as recommended in the plan.
- The first floor of the building includes a “chamfered” corner to allow for better traffic visibility at the corner of Park and Regent. Building corners above the first floor can be built out to the setback line.
- The highly-transparent storefronts and open space setbacks along Regent Street would implement the Plan’s recommendation to provide street-activating spaces at the street frontage.
- The College Court parking entrances meet the plan’s recommendations that service and parking areas be accessed from side streets.
- The fifth and six floors are “stepped-back” along Regent Street.

Consideration of Demolition Standards

Planning Division staff believe that the demolition standards can be met with this proposal.

The City’s Preservation Planner reviewed this application and her detailed report is attached. In her review, she noted that the three (3) single-family residences are not of known architectural or historic significance. The “Josie’s” building is of historic interest as one of the few remaining buildings of the old Greenbush neighborhood, which was almost completely obliterated in a 1960s urban renewal program. However, the Preservation Planner did not recommend requiring this building be saved. She concluded that the extensive fire damage and the small size of the building limited the reuse potential of the building, but did recommend that the decorative stonework be saved and recycled intact for reuse.

Staff has not conducted an inspection of the structures to be demolished. Based on the information provided by the applicant, staff believe that there would be limited economic feasibility in rehabilitating and renovating the existing structures to be compatible with the more intensive development recommended in the neighborhood plan. As described in the previous sections, the Regent Street-South Campus Neighborhood Plan recommends more intense development at this corner, of up to 10 stories in height. In considering the potential impacts on the surrounding properties, staff believe that this project has the potential to serve as a catalyst to promote the types of redevelopment activities recommended in that Plan. If approved, a reuse and recycling plan will need to be approved by the City Recycling Coordinator.

Zoning Text

Some of the language in the proposed zoning text will need to be amended. Planning Division staff recommend the applicant work with planning and zoning staff and submit updated an updated zoning text along with final sign-off plans. Specific changes are noted in the Recommendation section of this report.

Other Related Approvals

The proposed building encroaches on the right-of-way in two places. Staff note that the right-of-way on the subject block is somewhat atypical as it does not form right-angles at two points. This condition can be seen in the applicant's materials and on the aerial photo provided by staff. Staff note that neither of the approvals discussed in this section would come before the Commission. They are briefly described, however, as these approvals would be required for the project to proceed as proposed.

One building encroachment is proposed at the corner of College Court and Park Street. This is area is denoted on the applicant's plans with a dashed line. City Real Estate indicates this is piece has been declared "surplus" right-of-way, meaning that it is not needed to serve a public purpose. This piece could be sold to the applicant, and the applicant has had initial conversations with City Real Estate on this process. Planning Division staff recommend that any approval be conditioned on this sale being completed prior to final approving and recording of this Planned Unit Development.

The other encroachment is for the Park and Regent Street tower element, on floors two and above. This would require a privilege-in-streets approval for the portions of the building within the right-of-way. Staff note that it is not uncommon for downtown-area projects to require approval for some right-of-way encroachments. The Planning Division also recommends that approval be subject to the applicant receiving a privilege-in-streets approval.

Conclusion

Staff believe that on-balance, this proposal is consistent with the type of development recommended in the Comprehensive Plan and Regent Street-South Campus Neighborhood Plan. While a small number of the detailed design guidelines are not met, this proposal meets many of the adopted recommendations to establish an attractive urban mixed-use development at the highly visible Park and Regent Street intersection. Staff believe the building's ground floor retail and highly transparent storefronts provide a strong pedestrian orientation. This project has received final approval from the Urban Design Commission. At the time of report writing, staff is not aware of objections to this proposal. The Planning Division believes the standards for demolitions, zoning map amendments, and planned unit developments can be met and overall believe that this is a well-designed project. This project would be an asset to the Regent and Park Street Corridors and is worthy of approval.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

Subject to input at the public hearing, the Planning Division recommends that the Plan Commission find that the demolition standards are met and **approve** demolition permits for 909, 911, and 913 College Court and 904-906 Regent Street. The Division further recommends that the Plan Commission find that the standards for planned unit developments are met and forward Zoning Map Amendment 3405, rezoning 904 & 906 Regent Street and 909-913 College Court from C3 (Highway Commercial District) and R5 (General Residence District) to PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan), with a recommendation of **approval**, subject to input at the public hearing and the following conditions recommended by reviewing agencies:

1. That the applicant successfully completes the purchase of the College Court "surplus right-of-way" prior to final staff approval and recording of this planned unit development.
2. That the applicant obtains a privilege-in-streets approval prior to final staff approval and recording of this planned unit development.
3. That the decorative stonework on the Josie's building be saved and recycled intact for reuse. This should be specified in the required reuse and recycling plan (Condition # 47).
4. That the applicant work with planning and zoning staff and amend the PUD-GDP-SIP Zoning Text to address the following issues. A revised zoning text shall be submitted along with plans submitted for final staff approval addressing the specific zoning comments (Conditions # 46 and 49) and:
 - a. Eliminate specific references to either the Comprehensive or Neighborhood Plan.
 - b. Permitted Uses should indicate the number of units and retail square footage, as shown on approved plans.
 - c. Building Height shall be as shown on approved plans.
 - d. Revise the note under "Alterations and Revisions" to note that the Common Council approves zoning changes.

The following conditions have been submitted by reviewing agencies:

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

5. The construction of the building as proposed requires the City of Madison to declare that a portion of the previously purchased public right-of-way on College Court at North Park Street is indeed surplus. Contact the City of Madison Office of Real Estate Services and refer to Project No. 8055. Although support for disposal by surplus sale of a portion of the public right-of-way is likely, the City desires to maintain sufficient right-of-way at the intersection of North Park Street and College Court to provide a compliant, safe and convenient curb ramp and sidewalk at the intersection. The Developer shall meet with the City Engineer and revise the building footprint to provide the additional space.

6. Any damage to pavement shall require restoration in accordance with the City's Patching Criteria.
 7. No work may take place in the Regent Street or Park Street right-of-way, until after the University Avenue reconstruction projects have been completed.
 8. Proposed elevations do not appear to be adequately high enough to protect the building from flooding. Provide additional detailed drainage plan/information to protect all entrances from 100-year flood. Said plan shall be designed by a Professional Engineer.
 9. The City (College Court) sanitary sewer that is proposed to be connected to is in poor condition and has a history of backup trouble. Applicant shall revise plan to connect to sanitary sewer on Regent Street.
10. 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.
 11. Submit a PDF of all floor plans to Lori Zenchenko lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
 12. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
 13. The approval of this Zoning Map Amendment 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.
 14. 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.
 15. 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.

16. 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.
17. All work in the public right-of-way shall be performed by a City licensed contractor.
18. 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.
19. 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.
20. 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.
21. 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.
22. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: a) Control 40% TSS (20 micron particle) off of new paved surfaces and b) 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.
23. 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.
24. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
25. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

26. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; 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.
27. The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.
28. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
29. Prior to approval of the zoning map amendment 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
30. 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.

Traffic Engineering Division (Contact John Leach, 267-8755)

31. A condition of approval shall be that no residential parking permits shall be issued for 904 & 906 Regent Street, 909 to 913 College Court, this would be consistent with other projects in the area. In addition, the applicant shall inform all tenants of this facility of the requirement in their apartment leases and record in zoning text. The applicant shall note in the Zoning Text that no residential parking permits shall be issued. In addition, the applicant shall submit for 904 & 906 Regent Street, 909 to 913 College Court a copy of the lease noting the above condition in the lease when submitting plans for City approval.
32. Occupancy of Regent Street and/or Park Street right of way will not be granted for construction purposes until the University Avenue reconstruction project is completed. This includes the loading and unloading of trucks, utility work, staging of trucks or cranes, sidewalk closures, etc. due to the increase in traffic volume on these streets. The University Ave reconstruction project is estimated to be complete by September 1, 2009.
33. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be review by Traffic Engineer to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds four stories prior to sign-off to be reviewed and approved by Keith Lippert, (266-4767) Traffic Engineering Shop, 1120 Sayle Street. The applicant shall return one signed approved building elevation copy to the City of Madison Traffic Engineering office with final plans for sign off.

34. The applicant shall indicate the type of bicycle racks to be installed both inside and outside. Please contact Arthur Ross, City Traffic Engineering at 266-4761 if you have questions.

35. 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), 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'.
36. The applicant shall submit with the parking lot plans a letter of operation of the garage door and gate to the underground parking area, and modify the ingress/egress showing a detail drawing of the area showing queuing of at least one vehicle of 20 ft. from the behind the property line to the garage door that will not be blocking the public sidewalk.
37. "Stop" and "No Left Turns" signs shall be installed at a height of six (6) feet to the bottom of the driveway approaches to College Court. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
38. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
39. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

40. In regard to the provision of off-street loading berths, the applicant has not provided a designated off-street loading area for this project, and therefore requests a waiver of said requirement with this request.

41. Show canopies and roof structures on the site plan.
42. Show the building height on the elevation drawings per "City Datum", including area above the sixth floor. The building shall not exceed 187.2' City Datum per 28.04(14).
43. Meet applicable building codes, including accessible requirements.
44. Provide a detailed landscape plan. Show species and sizes of landscape elements.
45. Provide 70 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Show the stalls on the plans.

46. Meet all applicable State accessible requirements, including but not limited to:
- Provide a minimum of 1 van accessible stall 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 to and on the passenger side.
 - Show signage at the head of the stalls.
 - The stalls shall be as near the elevator as possible.
47. In the zoning text, address the following:
- In the permitted use section, include, 65 apt. units, 4,200 sq. ft. of commercial/retail per the C-1.
 - Accessory uses to the above uses, including but not limited to accessory parking and home occupations as defined in Chapter 28 of the Madison General Ordinances.
 - Signage for the commercial spaces you may want to use C-1 or C-4 signage as approved by UDC.
48. 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.
49. Show addresses of tenant spaces on the building of the final site plan.
50. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the R-6 for the residential use and as per C-1 for the Commercial uses, and a comprehensive sign package shall be as approved by the Urban Design Commission. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.

Metro Transit (Contact Tim Sobota, 261-4289)

51. Metro Transit supports the general bus stop amenity improvements proposed in the initial plan set and their location.
52. The developer shall install and maintain the bench (or other seating amenity) and a trash receptacle at the location proposed on the submitted plans – on the north side of Regent Street, west of Park Street. These amenities would ideally be accommodated under the building canopy or awning, as proposed.
53. The developer shall include the design and locations of the proposed transit elements on the final documents filed with their permit application so that Metro Transit may review and approve the design.
54. Metro Transit operates between two and four buses an hour past this stop location (ID #0548) during our regular service hours.
55. Metro Transit requests to sign and review final documents submitted for this project.

Fire Department (Contact Scott Strassburg, 261-9843)

Please contact the department on questions regarding compliance with applicable building and fire codes.

Water Utility (Contact Dennis Cawley, 261-9243)

The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Parks Division (Contact Tom Maglio, 266-6518)

56. The developer shall pay approximately \$120,180.30 for park dedication and development fees for 65 new multifamily units minus 3 existing single-family units.

57. The developer must select a method for payment of park fees before signoff on the SIP.

AGENDA # 5

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: December 17, 2008

TITLE: 909, 911, and 913 College Court /
906 Regent Street – PUD(GDP-SIP),
Mixed-Use Development. 8th Ald. Dist.
(12709)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: December 17, 2008

ID NUMBER:

Members present were: Bruce Woods, Acting Chair, Ron Luskin, Jay Ferm, Mark Smith, Richard Slayton, Richard Wagner, John Harrington, Dawn Weber, Marsha Rummel, and Todd Burnett.

SUMMARY:

At its meeting of December 17, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of a PUD(GDP-SIP) for a mixed-use development located at 909-913 College Court / 906 Regent Street. Registering in support were Stu LaRose, architect; Dale Streitenberger; and Tom Degen.

LaRose, Streitenberger and Degen provided an overview of the modifications of the project as follows:

- 36 bike/moped parking stalls are provided along the property's Regent Street frontage.
- A review of the building elevations emphasized the tying down of the lower level corner facade with a vertical column.
- The request to consider an active use for residents on the upper level setback along Regent Street was noted as problematic. Degen and Streitenberger wanted to discourage potential conflicts with providing activity areas for upper-story residents.

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

- The College Court elevation looks like a different building, less attractive than the rest of the building could integrate the dark panels as expressed on the Regent and Park Street elevations.
- Question the desire not to make the step back along Regent more active.
- Need to see how building functions contextually with adjacent buildings.
- Still need to do something green or provide a water saving feature on the upper level of the Regent Street step back.
- The west facade is bothersome, blank in appearance.
- Need a complete floor plan to see how floor plan coordinates with the exterior facade.
- West elevation could use some work.
- The recess on Regent Street should be an outdoor space designed for use in order to address safety issues.
- The 7' wide space the upper level step back on Regent could be utilized with a green roof with plantings that don't invite use; whereas the proposed use of pavers will invite use.

ACTION:

On a motion by Luskin, seconded by Rummel, the Urban Design Commission **GRANTED INITIAL APPROVAL** with address of the above-stated concerns and the following:

- Look at providing an alternative such as a green roof on the step back along Regent Street as well as the west elevation and College Court elevation. Continued discussion on this item noted that there was no interaction of the building to adjacent buildings; such as the Italian Working Men's Club and adjacent two-story brick building.
- Need to provide context with adjacent existing structures.
- Need icon to replace Josie's signage.
- Top element is unresolved. More attention and detail is required on the tower/corner element with more context with adjacent historic buildings.
- On the Regent facade the shallow blade of the canopy is unresolved with the building appearing to be top heavy. The canopy slices the upper and lower portions of the facade, which needs to be connected down to the ground.

The motion was passed on a vote of (10-0).

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 7, 8, 7, 8, 7, 7.5, 8 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 909, 911, 913 & 915 College Court/906 Regent Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	7	6	6	6	6	7	7
	8	6		7		8	9	8
		7				6	7	7
	9	8	6	6	7	9	8	8
	7	6.5				7	8	7
	6	7		6		6	8	7.5
		7					8	8
	7	6				6	7	7

General Comments:

- Articulate and detail tower. Connect upper and lower floors! North facade needs more work. Very promising project.
- Great project. Address connection of upper stories to first story. Good bike parking.
- Very attractive use of textures, materials and rhythm.
- Great project but work with recessed roof – green it!
- West elevation needs more architectural interest. Step back area – cool-looking but could be green roof? Look at tower. Historic context, very nice so far.

AGENDA # 4

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: January 21, 2009
TITLE: 909, 911 & 913 College Court/906 Regent Street – PUD(GDP-SIP), Mixed-Use Development. 8 th Ald. Dist. (12709)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: William A. Fruhling, Acting Secretary	ADOPTED: POF:
DATED: January 21, 2009	ID NUMBER:

Members present were: Bruce Woods; Chair, Todd Barnett, Richard Slayton, Ald. Marsha Rummel, Ron Luskin, Dawn Weber, Mark Smith, Richard Wagner, Jay Ferm, and John Harrington.

SUMMARY:

At its meeting of January 21, 2009, the Urban Design Commission **GRANTED FINAL APPROVAL** for new construction of a PUD(GDP-SIP) for a mixed-use development located at 909, 911 and 913 College Court and 906 Regent Street. Appearing on behalf of the project were Dale Streitenberger, Stu LaRose and Tom Degen. The applicants reviewed changes to the design to respond to the comments from the previous meeting. They also described relationships to adjacent buildings. They noted that the stepback along Regent Street now incorporates a green roof.

The Commission discussed the possibility of making the corner tower element a more prominent feature at this highly-visible intersection and the need to make it four-sided. The Commission suggested making the top floor of this element taller (by at least two feet), perhaps by adding clearstory windows on all sides above the windows in this area. The Commission also discussed the need for screening of the openings into the parking area along College Court. The applicants stated this was necessary for securing.

ACTION:

On a motion by Wagner, seconded by Rummel, the Urban Design Commission **GRANTED FINAL APPROVAL** for new construction of a PUD(GDP-SIP) for a mixed-use development located at 909, 911 and 913 College Court and 906 Regent Street, subject to staff approval of making the design the tower element “four sided” and increasing its height by adding clearstory windows above the upper story windows.

The motion passed on a vote of (9-0-1) with Luskin abstaining.

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, 7, 7, 7, 7.5, 8, 8 and 8.5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 909, 911 & 913 College Court/906 Regent Street

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	7	-	-	-	-	7	7
	-	7	-	-	-	-	7	7
	6	7	6	-	-	-	7	7
	-	-	-	-	-	-	-	6
	8	5	6	6	6	7	8	6
	-	8	-	-	7	-	8	8
	-	-	-	-	-	-	-	8
	9	8	-	8	-	9	9	8.5
	6	7	6	6	7	6	8	7.5

General Comments:

- Secondary reads successful. Excellent attention to historic context.
- Nice blending with context.
- Very interesting building.
- Wonderful project.
- Make the tower a true 4-sided element! Really nice context response – weaves and reinforces existing architecture.

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: December 11, 2008

TO: Plan Commission

FROM: Katherine Rankin, Preservation Planner

SUBJECT: Demolition Report - 906 Regent Street & 909, 911 and 913 College Court

906 Regent Street

The building at 906 Regent Street is proposed for demolition for a new mixed use building, along with three houses behind it on College Court (see attached).

906 Regent Street was built in 1941 as Jimmie's Restaurant. The architects were Starck, Sheldon and Schneider. It is a one-story stone-faced building of simple design with vaguely Egyptian Style dressed stone details around the windows and door.

The building was seriously damaged by fire about three years ago and has been for sale since. It has historic interest as one of the few remaining buildings of the old Greenbush neighborhood, which was almost completely obliterated in a 1960s urban renewal program. Jimmie's Restaurant was erected for James Puccio, who was part of the strong Italian neighborhood of the Greenbush. Jimmie's was one of several Italian restaurants and taverns centered around this corner, which was dubbed "Spaghetti Corners" by soldiers at Truax Field during WW II. Since it was a well-lit corner of two major highways (USH 12 and USH 14) the area became a gathering place for neighborhood residents. Also in the vicinity were Bunky's, DiSalvo's, the Roman Inn, Tiny's Lunch, Paratore's Snack Shack, Urso's West Side Palm Gardens, Pelliteri's Fox Den and Amato's on S. Park Street.

One of Jimmie's first cooks, Josephine Magnasco Scheupbach. In 1964 she bought Jimmie's Restaurant from Puccio and it remained in her family until the fire. Because it is a small building of limited reuse potential, and especially because it has basically been gutted by fire, I do not recommend requiring that the building be saved. Decorative stonework should be recycled intact.

909, 911 and 913 College Court

These three small, frame houses are proposed for demolition for a mixed use building. The houses at 909 and 911 were built in 1928 on spec by William Mueller. The house at 913 was built on spec by Otto Loftsgordon. All three appear to have been homes to Italian families in this largely Italian neighborhood. They are of no known architectural or historic interest.