



## Report to the Plan Commission

July 12, 2010

**Legistar I.D. #18737**  
**431 West Dayton Street**  
**Demolition and Rezoning**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of the demolition of a single family home at 431 West Dayton Street and a rezoning of property from R6 (General Residence) District to PUD-SIP (Planned Unit Development-Specific Implementation Plan) to construct a four-story building with 4 residential units.

**Applicable Regulations & Standards:** Section 28.12(12) provides the requirements for demolition requests. Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Development Districts.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for demolitions, zoning map amendments, and planned unit developments can be met and forward the request to the July 20 meeting of the Common Council with a recommendation for **approval** to rezone 431 West Dayton Street from R6 to PUD-SIP, subject to input at the public hearing and conditions from reviewing agencies.

### Background Information

**Applicant/Project Contact/Property Owner:** Daniel Bohl; 440 West Dayton Street; Madison

**Proposal:** The applicant proposes the demolition of a single family home in poor condition and a rezoning from R6 (General Residence) to PUD-SIP (Planned Unit Development- Specific Implementation Plan) in order to build a four-story residential building with four apartment units. The applicant hopes to begin work in February 2011 and complete the project for August 2011 occupancy.

**Parcel Location:** On the south side of West Dayton Street, mid-block between Bassett Street and Broom Street, the existing parcel is 4,300 square feet; Aldermanic District 4 (Verveer); Madison Metropolitan School District.

**Existing Conditions:** The 4,300 square foot lot has an existing 2-bedroom single family home built in 1899. The 1 ½ story, 874 square foot structure is in very poor condition, as evidenced by the photos submitted with the application.

**Surrounding Land Use and Zoning:** The property is generally surrounded by multifamily residential buildings in the R6 (General Residence) District ranging from 2-unit buildings on 4,000 square foot lots to 50+ units on lots over ½ acre in size. Immediately adjacent buildings include 5-unit and 2-unit house-like structures on the west and east sides, a 78-unit building to the south (rear), and a 57-unit building across Dayton Street to the north. Aside from an 18-unit condominium project on the east end of the block, this side of Dayton Street between Bassett and Broom Streets consists of 33' wide lots similar to this one.

**Adopted Land Use Plans:** The Comprehensive Plan (2006) includes this property within the Mifflin-Bassett Downtown Residential Sub-area, where mixed-use and residential buildings two to four stories tall and consistent with the predominant scale of buildings in the area recommended.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The area is served by a range of urban services and several Metro Transit Routes.

### Zoning Summary:

Bulk Requirements	Required*	Proposed
Lot Area	6,000 sq. ft.	4,356 sq. ft. (existing)
Lot Area for all DUs	4,650 sq. ft.	4,356 sq. ft. (existing)
Lot width	50'	33.1' (existing)
Usable Open Space	1610 sq. ft.	To be shown on plans (see Condition No. 13, p. 8)
Front yard	20'	8'2" to balcony, 10'6" to foundation
Side yards	11'	5'10" right, 3'2" left
Rear yard	30'	30'3"
Floor area ratio	2.0	1.95
Building height	3 stories / 40'	4 stories / 46'

Site Design	Required	Proposed
Number parking stalls	0 stalls	0
Accessible stalls		0
Loading		0
Number Bike Parking stalls	23	23 stalls (see Condition No. 10, p. 8)
Moped parking	0 stalls	3 stalls (see Condition No. 10, p. 8)
Landscaping	As shown	Adequate

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark Building	No
Floodplain	No
Utility Easements	Yes
Waterfront Development	No
Adjacent to park	No
Barrier Free (ILHR 69)	Yes

*\*This project is being rezoned to the (PUD) district, where there are no predetermined bulks or site design requirements. Staff has reviewed the project based on the criteria for the R6 district, because of the surrounding land uses.*  
*Compiled by Pat Anderson, Assistant Zoning Administrator*

## Project Description

### Existing Conditions

The 4,300 square foot lot has an existing single family home built in 1899. The 1 ½ story, 874 square foot structure is in very poor condition, as evidenced by the photos submitted with the application. There is an existing concrete driveway on the east side of the property, but no garage in the rear. There are two trees directly in front of the existing house, and eight in the rear half of the property along the sides. A chain link fence runs along the eastern side of the property.

### Proposed Land Use

The applicant proposes to demolish the single-family home and build a four-story walk-up residential building with four apartment units and a total of 23 bedrooms. Intended for the student market, the site would include bicycle parking and limited moped parking, but no driveway or automobile parking.

**Demolition-** Demolition would include the removal of the house, an existing concrete driveway, a concrete sidewalk, an existing chain link fence on the eastern property line, an overhead electric line, and all trees on the property.

**Residential Units-** Three six-bedroom units and one five-bedroom unit are proposed, each with two bathrooms, laundry in the unit, and a kitchen and living area in the front of the unit. The units themselves range from 1,631 to 1,844 square feet, with an average of 310 square feet of living space per tenant, and are clearly targeted to students. Furnishings would include double beds and closets with shelving in each bedroom, as well as basic furniture in the kitchen and living area.

### **Site and Building Design**

**Building Bulk and Placement-** The flat-roofed, four-story building as proposed is 45 feet tall, as compared to the neighboring three-story (40 feet tall at peak) and two story (29 feet tall at peak) structures. On the narrow lot, the building is 24 feet wide and 91 feet long, with a front yard setback of 10'6". Side yards are approximately 3 feet on the left and 6 feet on the right, with a sidewalk on the right side of the building leading to the rear yard (the sidewalk as proposed would require a 1'6" easement from the neighboring property to the west, which is also owned by the applicant). The proposed Floor Area Ratio is just under 2.0

**Parking and Access-** As proposed in the most recent plans, the site would have three moped stalls and a total of 29 bicycle parking stalls utilizing a variety of short and longer term storage types. 16 bicycle stalls are proposed in a "stacked" rack with an assist mechanism for the upper level, and covered under a simple roofed structure in the rear of the lot; 5 are typical stalls covered by a second floor deck; 2 are typical stalls open to the sky; and 6 are vertical storage spaces inside the first floor of the building, intended for longer term storage. No automobile parking is proposed for the site.

The bicycle and moped parking in the rear of the lot would be accessed by a private sidewalk leading from the public sidewalk in front of the property. This sidewalk is currently shown as being constructed over the property line shared with the property immediately to the west (also owned by the applicant).

**Open Space and Stormwater Management-** A small open space with one tree, a few shrubs, and a grill is proposed in the southeast portion of the lot for use by all tenants. In addition, upper level units have rear balconies approximately 50 square feet in size. These are accessed through a single bedroom on each unit, so would presumably be utilized by one tenant per unit.

A new storm sewer catch basin is proposed in the northeastern portion of the lot, which would direct runoff to the storm sewer in Dayton Street through a new 8" lateral.

**Entries and Openings-** The main entrance is in the center of the front of the building, with steps leading directly to it, and an accessible ramp leading to it from the right side of the building. The rear entrance is recessed, adjacent to a small bicycle storage area, which has its own entrance. The front of the building has ten prominent windows, with the second floor including two arched windows and an arched set of French doors leading to a shallow balcony on the center of the second floor. The rear of the building has seven window openings, three of which are sliding doors from upper level bedrooms to small balconies. Fourth floor windows on the front and rear are gable dormers, projecting from a slightly sloped roof.

The west elevation has twenty identical double windows leading to living rooms and bedrooms on all levels. The east elevation has no windows on the ground level, 15 identical narrow windows to bathrooms and stairwells, and two identical wider windows to third and fourth floor living rooms.

**Exterior Materials-** Exterior materials include brick, concrete masonry units, asphalt shingles, limestone, and decorative metal trim. 4" brick covers the front and rear of the building, wrapping around the corners. Asphalt shingles are proposed on the top story of the front and rear of the building, which are slightly angled back, with gabled windows, in an effort to reduce the impact of the fourth story.

The sides of the building are primarily covered with concrete masonry units, although the top, most visible level on the sides would be brick matching the front and rear. Two courses of limestone banding separate the base, middle, and top of the building, and limestone trim is utilized on all openings. Decorative metal is proposed around balconies and the accessible ramp on the front of the building.

**Landscaping and Site Details-** The existing trees on the property would be removed prior to construction. As proposed, the small space on the site available for landscaping includes arbor vitae, spirea, and daylilies near the front foundation, a new maple tree in the rear open space, and additional arbor vitae and shrubs along the sides and rear of the property.

Following removal of the existing chain link fence, a new 6-foot wooden fence is proposed along the eastern property line at the rear of the property, screening the trash enclosure and bicycle parking structure from the adjacent property. In front of this, a new span of 3-foot wooden fence is proposed to screen the HVAC equipment from the adjacent property.

## **Evaluation**

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### **Land Use**

**Demolition-** As shown in the submitted photographs, the single-family home on the property is in very poor condition, and is somewhat of an outlier due to its low height and small footprint. The acting Historic Preservation Planner notes no issues with regard to the historical significance of the structure, nor concerns about its removal.

**Consistency with Adopted Plans-** In an area recommended in the Comprehensive Plan (2006) for mixed use and residential buildings two to four stories tall, this building as proposed adds density to an underutilized site, setting a tone for continued redevelopment. It provides a good example of how to efficiently work with relatively small redevelopment sites and preserve the existing rhythm of buildings on the street, as opposed to lot assembly for larger buildings.

The density proposed is 41 dwelling units per acre, similar to the existing density in this area, and well within the 60+ du/ac density recommended in the Comprehensive Plan. However, from a bedroom/acre perspective, the proposed density is 233 bedrooms/acre, over twice that of the existing bedroom density on the 400 block of West Dayton Street.

The furnished units, the absence of automobiles on the site, and the provision of more than enough bicycle parking should help to mitigate any negative effects from allowing 23 tenants on this small lot, but efficient and responsive management will be very important to maintain. Staff recommends that a management plan addressing move-in/move-out procedures, removal of snow, trash, and recycling, the use and maintenance of the grill area, be submitted by the applicant as part of the Zoning Text for the site. Further, the zoning text should be revised to note that the occupancy of each unit is limited to the number of bedrooms.

Absent an adopted Downtown Plan, the Plan Commission should focus their review on consistency with the Comprehensive Plan. However, it is worth noting that the Downtown Planning process currently underway has contemplated redevelopment options in this immediate area ranging from a maximum of three to six stories in height, with the intent to allow for lot combinations, so long as the existing rhythm can be maintained through building articulation. An idea for a new public alley linking the back yards of properties on this side of Dayton Street with those fronting on Mifflin was also contemplated in early discussions. The placement of this building and the rear yard bicycle parking as proposed would likely preclude placement of an alley through the rear yard, although notably, it would likely already be precluded on this particular block due to the recent condominium development just to the east. In more recent discussions, the public alley idea has not been as seriously considered for this particular block.

**Residential Units-** The units are relatively small, yet appropriate for the student market. At about 11' x 11', bedrooms are sufficient, but small enough so as to preclude double occupancy. While Zoning staff has noted that they are unaware of any six-bedroom units in this area of the city, the Plan Commission and Common council have approved a project that included six-bedroom units in a PUD. The Plan Commission should consider whether the site design, unit design, furnishings and management details presented by the applicant will adequately address concerns related to the occupancy proposed.

It is worth noting that the units could theoretically offer opportunities for a variety of household types through the reorientation of interior walls. For instance, rear master suites could be created by combining bedrooms, and additional common rooms could be created along the western side of the units through the removal or reconfiguration of bedrooms. The lack of automobile parking and elevators may limit the type of household choosing to live in the building in the long term, and it is most likely to function as a student apartment with small, high-quality units for the foreseeable future.

### **Site and Building Design**

**Building Bulk and Placement-** As proposed, the four story building would be taller than all others on the block, with the exception of the flat-roofed, four story condominium a few properties to the east. The immediately adjacent properties on either side of this proposal are 2.5 and 3 stories respectively, and the highest point on the proposed building is only 5 feet higher than the 3-story building to the west.

The proposed building is similar in width to the house-like structures on the block, with narrow side yards difficult to avoid on such narrow lots. The building projects much further into the rear of the property than other buildings on the block, leaving less area to work with for usable open space. That said, surface parking areas located in the rear yards of most properties on the block eliminate usable open space as well.

The front setback of 10'6" is less than that of many building facades on this block, although similar to the distance to the front of the porches of many of the buildings. The applicant was encouraged by staff to try to move the building back a few feet in order to avoid adding so much volume in front of other structures, but indicated that the resulting loss of interior space and/or usable space in the rear yard would render the project unfeasible.

The recently-built condominium building three properties to the east, also a mid-block building, has a similar setback as that which is proposed. Further, the Urban Design Commission on May 19, 2010 provided initial approval specifically for building mass and location on the lot. Staff finds that on balance, the setback as proposed is adequate, although the Plan Commission may wish to question the applicant in order to better understand the reasoning for it.

**Parking and Access-** With no automobile parking proposed, tenants will need to rely on off-site parking opportunities or alternative transportation. Staff believes that this arrangement is suitable for the student/downtown market, so long as tenants are made aware that no on-site automobile parking nor residential parking permit is available.

The applicant has provided three moped stalls and more than adequate parking for bicycles on the site. A majority of the outdoor bicycle parking is covered for protection from precipitation, making longer term storage more viable, and making it far less likely for bicycles to be stored in apartments. The indoor bicycle parking area, while very small, will provide some tenants an opportunity to store a bicycle in a more secure environment.

The applicant has indicated on submitted plans an easement to allow for the new private sidewalk to be located beyond the western edge of the property. Staff recommends that the preparation and recording of a private easement allowing for this sidewalk be completed prior to the recording of the PUD-SIP.

**Open Space and Stormwater Management-** The site has very little usable open space, although the small grilling area in the rear provides for some high-quality open space in an area otherwise dominated by rear yard surface parking lots. Further, there is a wide variety of public open spaces (tennis courts, a dog park, Brittingham Park, a regional bike path, and UW-Madison open spaces) within ¼ to ¾ mile of this site.

With regard to stormwater management, there are very few opportunities for on-site infiltration as proposed, but City Engineering staff in their review will ensure that the proposed lateral connecting to the storm sewer in W Dayton Street will sufficiently accommodate runoff from increased impervious surface on the site.

**Building Exterior-** The high-quality, durable masonry proposed for the entire building sets it apart from the wood-sided structures along a majority of this block face. Staff believes that the exterior has improved since the initial submittal, through the addition of openings on the sides of the building, the extension of a second limestone band to better define the base, and a simplification of what had been four separate window types on the front of the building.

**Landscaping-** Within the small space available, the landscaping as proposed is likely adequate with one exception. Along the western side of the building, staff recommends shifting the sidewalk west to the property line in order to allow for a narrow landscaped strip adjacent to the building. While this may only be 12"-18" wide, a separation between the bedroom windows and the sidewalk would slightly increase the privacy of the first-level bedrooms. In this strip, the applicant should explore use of perennial grasses or other perennials that can thrive in narrow spaces, and submit a revised landscape plan for approval by staff.

### **Public Input**

The applicant indicates that at meetings with the Alder and neighborhood representatives dating back to April 2010, the project has been well received. At their June 9, 2010 meeting, the Mifflin West District subgroup of the Capitol Neighborhoods Association "approved" the proposal in a form very similar to the latest revisions before the Plan Commission.

### **Related Approvals**

This proposal has been reviewed by the Urban Design Commission for consistency with the standards and guidelines for a Planned Unit Development. The UDC granted **initial approval** for the proposal at their May 19, noting that the approval was for massing and location, rather than architectural style. The UDC formally recommending the following (see enclosed report for full wording):

- 1) The applicant should further examine expressions of building style, explore the architecture in a modern way, along with use of contemporary materials
- 2) Provide bike/moped parking at one stall per bedroom (*accomplished in revision*).

In addition, individual members of the UDC encouraged more windows on the east elevation (*accomplished in revision*), rear balconies (*accomplished in revision*), and revised landscaping to fit a revised architectural style.

Since the May 19 UDC meeting, the applicant has made a variety of small improvements, yet did not change the architectural style of the building. The UDC reviewed the revised plans at their June 30, 2010 meeting, where they granted **final approval** with conditions related to revisions to landscaping and architectural details, for review and approval by Urban Design staff.

### **Conclusion**

The proposed development is consistent with the Comprehensive Plan (2006) recommendations for mixed-use and residential buildings 2-4 stories tall in this area. The proposed building represents use of a relatively small site to accomplish a high quality redevelopment project while preserving the rhythm of the

existing buildings along the south side of Dayton Street. While the proposal would certainly maximize the use of the site by providing 23 bedrooms on the small lot, staff believes that the high-quality construction, provision of adequate covered bicycle parking, furnished units, and a small but high-quality usable open space in the rear will make for a positive addition to this block of West Dayton Street.

On balance, staff believes that the standards for demolition approval are met, and with the recommended conditions of approval, the proposal can meet the high standards for Planned Unit Developments as follows:

**MGO Section 28.07(6)(f) - PUD Criteria for Approval**

**a) Character and Intensity of Land Use-** Staff believes that the proposed building, while taller than many on the block, is compatible with other buildings in the area. The design of the building and the use of high quality exterior materials should provide for sustained aesthetic desirability. The lack of automobile parking and provision of adequate bicycle parking, as well as the proximity to major activity centers will make it unlikely for residents to frequently utilize cars, which will mitigate some of the negative effects of the high density proposed.

**b) Economic Impact-** The proposal should not significantly increase the cost of municipal service provision or adversely affect the economic prosperity of the area.

**c) Preservation and Maintenance of Open Space-** The proposal maintains a small but high quality usable open space in the rear yard of the property.

**d) Implementation Schedule-** Since this is a proposed PUD-SIP for one project, rather than one of many phases, this standard is less applicable.

The Planning Division recommends that the Plan Commission find that standards for demolition approval and Planned Unit Developments can be met, and forward this request to the July 20 meeting of the Common Council with a recommendation for **approval**.

**Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

**Planning Division Recommendation**

The Planning Division recommends that the Plan Commission find that standards for demolition approval and rezoning to PUD-SIP (Planned Unit Development-Specific Implementation Plan) can be met, and forward this request to the July 20 meeting of the Common Council with a recommendation for **approval**.

**Planning Division** (Contact Heather Stouder, 266-5974)

1. Prior to acquiring a demolition permit, the applicant shall provide proof of financing for the implementation of the project as proposed in the form of an executed construction contract and a letter of commitment from a lender, for approval by the Director of the Department of Planning and Community and Economic Development.
2. A management plan shall be submitted as part of the zoning text for review by staff, to include details for move-in/move-out, the removal of snow, trash, and recycling, and maintenance of the grill area in the rear open space.
3. The zoning text and a copy of the tenant lease submitted for review by staff shall clearly indicate that the occupancy of each unit is limited to the number of bedrooms in the unit.
4. Prior to sign-off, a private easement shall be prepared and recorded to allow for the placement of the private sidewalk as proposed between 431 W Dayton Street and 433 W Dayton St.

5. In plans submitted for staff review and approval, the proposed sidewalk along the west side of the building shall be shifted to the west so as to provide space for a narrow landscaped strip between the building and the sidewalk. The proposed landscaping shall be added to the landscape plan for review and approval by staff. *(Note: The concept for this space was provided in a revised site plan dated July 6).*

**Urban Design** (Contact Al Martin, 267-8740)

6. The proposal shall incorporate the conditions of approval recommended on June 30 by the Urban Design Commission, for review and approval by Urban Design staff, as follows:
  - a) Incorporate substantial landscaping between the buildings instead of a flower bed.
  - b) Remove spirea from the landscaping plan, and ensure that the landscaping is symmetrical.
  - c) The brick shall match the sides of the building across the street.
  - d) All windows on the front shall have a metal spacer between the glass and a muntin bar on the face.
  - e) Revised details of the pediment for the top story and the entryway shall take into account suggestions for architectural treatment.
  - f) The light levels shall meet City code, with the option to select a different wallpack.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

7. **NOTE:** This project contains 3 units with 6 bedrooms per dwelling unit and a family definition that would allow 6 unrelated individuals per unit. Staff is not aware of any similar situations in the general area that would allow for an occupancy and bedroom counts of this nature.
8. 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.
9. MGO Section 28.12(12)(e) 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.
10. Bike parking shall comply with MGO Section 28.11. Provide twenty three (23) bike parking stalls (one per bedroom) 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. Moped parking must also be shown, if provided.
11. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
12. In the Zoning Text, revise the signage to be allowed as per MGO Chapter 31, as compared to the R6 District.
13. Identify Usable Open Space areas and calculations when site plans are submitted for final review.
14. Put addresses of the building and number of units on the final plan sets pursuant to MGO Section 10.34(2). Address information can be obtained from Lori Zenchenko of City Engineering at (608) 266-5952
15. Pursuant to MGO Section 28.08(7)(j), Refuse Storage: In the R6 District, all refuse receptacles, cans, dumpster carts, or bins will be screened from view from the street and abutting property. Provide detailed drawings of the refuse storage area.



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

16. The preliminary address for the proposed apartment building will be 431 W. Dayton St. with apartment numbers 101, 201, 301 and 401.
17. Any damage to the pavement will require restoration in accordance with the City's Patching Criteria.
18. The applicant's contractor shall obtain a Permit to Excavate for the installation of utilities to serve this project and shall pay the permit fee, inspection fee and street degradation fee.
19. Sanitary lateral connection to the 24" main will be difficult and costly-saddle lateral connection required.
20. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
21. 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.
22. 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.
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, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only 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) All Underlying Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words "unplatted"
  - h) Lot/Plat dimensions
  - i) Street namesAll other levels (contours, elevations, etc) are not to be included with this file submittal.

**NOTE:** Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))
25. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. (MGO 10.05(6)) and MGO 35.02(4)(c)(2))
26. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7)
27. Prior to approval of the rezoning, 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.

**NOTE:** Permits applications for Nos. 25-27 above are available on line at:

<http://www.cityofmadison.com/engineering/permits.cfm>.

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

28. No residential parking permits shall be issued for 431 West Dayton Street, which is 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 note in the Zoning Text that no residential parking permits shall be issued. The applicant shall submit for 431 West Dayton Street a copy of the lease noting the above condition when submitting plans for City approval. Please contact William Knobloch or Bill Putman, Parking Utility at 266-4761 if you have questions regarding this item.

29. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, and a scaled drawing at 1" = 20'.

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

**Water Utility** (Contact Dennis Cawley, 261-9243)

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

**Fire Department** (Contact Scott Strassburg, 261-9843)

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

**Parks Division** (Contact Kay Rutledge, 266-4714)

33. The developer shall pay approximately \$5,035.52 for park dedication and development fees for the 4 new multifamily units. This development is within the Vilas-Brittingham Park impact fee district.

**2010 Fee Calculation**

fees in lieu of dedication = (4 mf units X \$1,477.00 per unit) =	\$ 5,908.00
park development fees = (4 mf units X \$592.55 per unit)	= \$ 2,370.20
Subtotal fees:	= \$ 8,278.20
Less Credit = (1 sf unit x \$3,242.68 combined fee per unit)	= \$ 3,242.68
<b>Total fees</b>	<b>= \$ 5,035.52</b>

**NOTE:** A method for payment of park fees must be determined before signoff on the rezoning. The fees were calculated at the new 2010 rates. Based on the existing ordinance, park fees will be assessed based on the year in which they are paid if it is not 2010.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.