



## Report to the Plan Commission

July 26, 2010

**Legistar I.D. #18863**  
**517-523 E. Main Street**  
**PUD Rezoning & Demolition Permit**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

**Requested Action:** Approval of a request to rezone 517-523 E. Main Street from R5 (General Residence District) and C3 (Highway Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow the construction of a 21-unit apartment building following demolition of a former Water Utility office building.

**Applicable Regulations & Standards:** 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 Developments; Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendments 3488 & 3489, rezoning 517-523 E. Main Street from R5 and C3 to PUD-GDP-SIP, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

### Background Information

**Applicant:** Lance T. McGrath, LT McGrath, LLC; 3849 Caribou Road; Verona.

**Property Owner:** City of Madison Water Utility; 119 E. Olin Avenue; Madison.

**Proposal:** The applicant wishes to construct a three-story, 21-unit apartment building following demolition a 6,000 square-foot office building formerly occupied by the Water Utility. Construction will commence in fall 2010, with completion anticipated in June 2011.

**Parcel Location:** An approximately 0.3-acre site located at the southwesterly corner of E. Main and S. Blair streets; Aldermanic District 6 (Rummel); First Settlement Historic District; Madison Metropolitan School District.

**Existing Conditions:** The former Water Utility building is a one-story brick structure with an exposed basement along the easterly and southerly walls. The building is located in C3 (Highway Commercial District) zoning; a surface parking lot located west of the building is zoned R5 (General Residence District).

### Surrounding Land Use and Zoning:

North: Multi-family residences, zoned C3 (Highway Commercial District); surface parking lot and single-family residences, zoned R5 (General Residence District);

South: Multi-family residences, zoned PUD-GDP;

West: Undeveloped parcel, single-family residences, zoned R5;

East: Madison Gas & Electric facilities, zoned M1 (Limited Manufacturing District).

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and adjacent residential neighborhood west of the site in the Settlement/ Old Market Place Residential Sub-District, which allows residential uses with densities of 16 to 60 units per acre in 2-8-story buildings. Mixed-use buildings with first floor retail, service, dining, entertainment and offices uses and residential uses above, neighborhood commercial, office and institutional uses are also recommended in this sub-district. The sub-district also emphasizes historic preservation and neighborhood conservation as recommended in adopted neighborhood or special area plans. Properties located to the east of the site across S. Blair Street are recommended for employment and industrial uses consistent with existing uses, which include Madison Gas & Electric facilities and the Capitol Heating & Power Plant.

The 1995 First Settlement Neighborhood Master Plan specifically recommends the redevelopment of the Water Utility property with lower-density residential development with access from E. Main Street with rear yard parking and open space and emphasis on architectural compatibility with the historic character of E. Main Street. The plan also includes recommendations encouraging higher density residential redevelopment along arterial streets such as S. Blair Street and lower density residential redevelopment along E. Main Street, with all residential redevelopment recommended to encourage the vitality of the neighborhood.

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

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

**Zoning Summary:** The site will be rezoned to PUD-GDP-SIP, which will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design, Landmarks, Utility Easements, Barrier Free, Wellhead Protection (WP-17 – Zone B)
No:	Floodplain, Waterfront Development
Prepared by: Pat Anderson, Asst. Zoning Administrator	

## Project Review

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The applicant is requesting approval to rezone 0.3 acres of land located at the southwesterly corner of E. Main Street and S. Blair Street from the R5 General Residence District and C3 Highway Commercial District to PUD-GDP-SIP to facilitate construction of a three-story, 21-unit apartment building. The subject site is owned by the Madison Water Utility. On April 20, 2010, the Common Council adopted Resolution 10-00327, executing a Purchase and Sale Agreement with the applicant for the purchase of the one-story, 6,000 square-foot former Water Utility administration building and adjacent surface parking lot, which will be demolished to accommodate the proposed apartment building.

The former Water Utility building is a masonry structure constructed in 1946 that stands one story in height along the northerly wall facing E. Main Street and westerly side wall, with an exposed lower level visible along the easterly side wall adjacent to S. Blair Street and southerly rear façade. The subject site is characterized by a gradual slope from west to east, with 6 feet of fall along the E. Main Street frontage from a highpoint in the northwesterly corner of the property and 12 feet of fall from the same highpoint to the southeasterly corner of the site adjacent to S. Blair Street, which facilitates the exposure of the lower level of the existing building. The building is surrounded on the south and west by an asphalt surface parking lot with driveways from E. Main and S. Blair streets. The building has been

largely vacant since the Water Utility moved its administrative offices to a new facility located on E. Olin Avenue in 2005.

The site is located on the eastern edge of the predominantly residential First Settlement Historic District and is surrounded to the north, south and west by a variety of residential uses, including four converted wood-framed multi-family residences immediately south of the site along the west side of S. Blair Street. The Hotel Ruby Marie, Come Back In and Up North bars and Essen House restaurant are located further south of the site along S. Blair Street at E. Wilson Street. The property immediately adjacent to the site on the west is vacant, with single-family residences further to the west. S. Blair Street serves as the dividing line between the First Settlement neighborhood and the western edge of the predominantly industrial East Rail Corridor, with properties across S. Blair from the site developed with a number of Madison Gas & Electric warehouse, office, electrical generation and service facilities, and the State of Wisconsin's Capital Heating and Power Plant.

The 21-unit apartment building proposed by the applicant will stand three stories above a single level of under-building parking containing a total of 16 standard car stalls, 1 handicapped-accessible stall, 4 tandem car stalls and 19 bicycle spaces. Additional bike parking for 8 bicycles will be provided in racks located adjacent to the E. Main and S. Blair street walls of the new building. Access to the under-building parking level will be provided along the southerly façade of the proposed building from a 20-foot driveway into the site from S. Blair Street. A 10-foot by 35-foot loading zone will be located in the southwesterly corner of the site west of the under-building garage entrance and adjacent to an exterior trash and mechanical room. The project will consist of 13 one-bedroom apartments ranging in size from 707 square feet to 984 square feet and 8 two-bedroom apartments ranging in size from 1,142 to 1,154 square feet.

The letter of intent for the proposed planned unit development indicates that the 7 dwelling units on the first floor of the proposed apartment building will be designated as live-work units for home occupations and professional offices with up to one employee from outside the immediate family permitted to work in the live-work unit. A related reference is included in the proposed zoning text for the project, though the reference suggests that home occupations and professional offices will be allowed throughout the project, with the allowance for outside employees limited to the 7 first floor units. If approved, staff will work with the applicant to clarify the provisions for the live-work units and employees.

The primary entrance for the new building will face E. Main Street with an egress door proposed along the S. Blair Street elevation. The three residential floors of the building will be clad in brick veneer with precast concrete accents, with a cast stone base proposed along the exposed easterly and southerly walls of the underground parking level. Glass-block windows are proposed along the S. Blair Street wall of the parking level to match the pattern of windows and patio openings on the elevation above, which will provide visual relief adjacent to the public sidewalk. Each dwelling unit will feature a recessed, 4-foot deep patio.

The new apartment building will be set back 8 feet from both the E. Main and S. Blair street property lines, 11.33 feet from the westerly side property line, and from 10.33 to 20 feet along the southerly rear property line. Most of the yard space proposed along the westerly, northerly and easterly facades will be landscaped greenspace, including an area along the westerly wall where the under-building parking level will extend 4 feet out from the principal westerly facade, which is labeled on the plans as a "green roof" and will be planted with a variety of perennials and grasses. A masonry retaining wall ranging in height from 1.33 feet to 4.1 feet is proposed along the southerly rear property line adjacent to the driveway and loading area, with a 6-foot wood privacy fence proposed to extend the length of that wall.

## **Analysis & Conclusion**

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The applicant is requesting approval of Planned Unit Development zoning to facilitate construction of a three-story, 21-unit apartment building to replace the vacant one-story former Madison Water Utility administrative building located at the southwesterly corner of E. Main and S. Blair streets in the First Settlement Historic District.

The applicant indicates that the existing building is in “fairly poor shape” and is energy inefficient, while showing signs of deferred maintenance. Interior and exterior photos of the building are provided with the Plan Commission materials. The Planning Division has not toured the building, but has conducted a windshield survey and believes that the demolition permit standards can be met. The proposed apartment building is well designed and will relate well to its surroundings. Staff believes that while the proposed building is primarily oriented towards E. Main Street, the easterly façade proposed to face S. Blair Street will relate well to the industrial buildings across that street while enhancing the environment along a busy vehicular corridor. The project also represents a significantly greater utilization of the property beyond what currently exists, and staff feels that the proposed building has the potential to contribute more physically to the First Settlement Historic District than a reuse of the existing building, which is a non-contributing structure in the district.

The Landmarks Commission approved the issuance of a Certificate of Appropriateness for the demolition and new apartment building on July 12, 2010. The Urban Design Commission recommended initial approval of the proposed development on July 21, 2010 (see attached reports and minutes).

The Planning Division also believes that the proposed redevelopment proposal largely conforms to the broad recommendations for the subject site contained in the Comprehensive Plan and the more specific recommendations contained in the First Settlement Neighborhood Master Plan.

The Comprehensive Plan identifies the subject site and adjacent residential neighborhood west of the site in the Settlement/ Old Market Place Residential Sub-District, which generally encompasses the First Settlement and James Madison Park residential neighborhoods between the downtown core and Blair Street on both sides of E. Washington Avenue. (Note: The commercial buildings along E. Wilson Street between S. Blair and S. Butler streets are not located in this sub-district.) The Settlement/ Old Market Place Residential Sub-District generally recommends residential uses with densities of 16 to 60 units per acre; mixed-use buildings with first floor retail, service, dining, entertainment and offices uses and residential uses above; neighborhood commercial; office and institutional uses, all in 2-8-story buildings. The sub-district also recognizes the importance of historic preservation and neighborhood conservation in these two neighborhoods.

Staff believes that the proposed apartment building can be found to adhere to the broad parameters set forth in the Comprehensive Plan, despite the density of the project slightly exceeding the top end of the 16-60 unit per acre density range recommended. The 21 apartment buildings proposed will result in a net density of 70 units an acre on the 0.3-acre site, which staff believes is consistent with other infill development projects that have been developed throughout the downtown area, including in other neighborhoods with similar density recommendations. Staff also believes that the proposed density of the project is appropriate when the mass of the three-story building is considered. Staff believes the new building will fit well with the historic residential properties to the west and the historic character of many of the industrial buildings east of the site across S. Blair Street in the East Rail Corridor.

The First Settlement Neighborhood Master Plan was adopted in 1995 to provide land use redevelopment, transportation and streetscape recommendations for the area bounded by S. Blount Street on the east, Lake Monona on the south, S. Pinckney Street on the west and E. Washington Avenue on the north. The neighborhood plan specifically recommends redevelopment of the Water Utility property with lower-density residential development with access from E. Main Street with rear yard parking and open space and emphasis on architectural compatibility with the historic character of E. Main Street. The plan does not provide guidance as to what "lower density" might entail. However, staff does not believe that the 70-unit an acre density would result in a development incompatible with other uses in the area. Staff also believes that the design of the project could be found to be consistent with the design recommendations in the neighborhood plan despite some modest deviations. While the new building will be oriented towards E. Main Street, as the plan suggests, parking for the building will take access from S. Blair Street to take advantage of the lower grade of the site present at the southeasterly corner of the property. As staff noted earlier, the Landmarks Commission granted a Certificate of Appropriateness for the new building, and staff believes the building is well designed in the context of both the residential neighborhood to the west and industrial buildings to the east across S. Blair Street.

Staff also believes the proposed development largely adheres to other more general recommendations in the First Settlement Neighborhood Master Plan, which include recommendations encouraging higher density residential redevelopment along arterial streets such as S. Blair Street; encouraging residential to increase the population and vitality of the neighborhood, and; encouraging new activity enhance the visual character of the neighborhood as a major entrance to the downtown, State Capitol and Monona Terrace.

In closing, the Planning Division believes that the standards for both planned unit developments and demolitions can be met with this request. Staff believes that the project proposed 21-unit apartment building is well designed and that the new residential project will result in a positive addition to the architectural character of the First Settlement neighborhood and the S. Blair Street corridor between E. Washington Avenue and John Nolen Drive. Staff also believes that the proposed development generally conforms to the recommendations in the Comprehensive Plan and First Settlement Neighborhood Master Plan, and that the proposed building will be more economically productive than the existing building.

### **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3488 & 3489, rezoning 517-523 E. Main Street from R5 (General Residence District) and C3 (Highway Commercial District) to PUD-GDP-SIP, with a recommendation of **approval** subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That the zoning text be revised per Planning Division approval prior to final approval and recording of the planned unit development as follows:
  - 1a. that the list of permitted uses be revised to specify:
    - multi-family residential uses as shown on the approved plans;
    - professional offices in the home;

- home occupations, as permitted under Section 28.04(26) of the Zoning Ordinance, Home Occupations, except that the requirement related to employees outside the immediate family shall not require a conditional use approval for one employee as proposed in the letter of intent and the restriction to 25% of floor area of one story in 28.04(26)(b)8 not apply to this project;
  - accessory uses directly associated with those permitted uses;
- 1b. that the list of permitted uses be revised to state that the home occupation and professional office live-work units shall be limited to the 7 first floor units only (the 14 remaining units on the second and third floors would be residential only);
- 1c. that the zoning text be amended to add the following definition of professional office in a home: "A professional office in a home shall mean the office or studio in the residence of a person engaged in a recognized professional specialty and including the fields of religion, architecture, engineering, law, medicine, personal health services, and practice and instruction in the liberal or fine arts, provided that such use shall comply with all the conditions of a home occupation in MGO Section 28.04(26) except as otherwise noted herein. Mechanical equipment customarily appurtenant to said profession may be used provided no external manifestations thereof are apparent at the property line."

The following conditions have been submitted by reviewing agencies:

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

2. The approved situs address for this project will be 525 E. Main Street. In accordance with 10.34 MGO—Street Numbers: Submit a PDF of each floor plan to Lori Zenchenko in the Engineering Mapping Section at [addressing@cityofmadison.com](mailto:addressing@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.
  3. It is desirable to reconstruct the existing sidewalk ramp at the corner of S. Blair Street and E. Main Street to provide safer crosswalks. The applicant shall work with City Engineering to reconfigure this corner and provide the necessary sidewalk easement dedication to accommodate the improvements.
  4. The applicant shall dedicate a public sidewalk easement at the corner of S. Blair Street and E. Main Street. Provide a sketch, legal description and \$500 fee to City Real Estate for administration of the easement.
  5. No street trees shall be removed without the approval of the City Forester.
  6. Any damage to asphalt pavement shall require restoration in accordance with the City's Patching Criteria.
  7. The driveway shall have a stormwater inlet to collect water prior to discharge over the sidewalk.
8. The construction of this building will require removal and replacement of sidewalk, curb and gutter, pavement and utilities 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.

9. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
10. The approval of this planned unit development 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.
11. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
12. All work in the public right of way shall be performed by a City-licensed contractor.
13. 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 Parks Division, [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816.
14. 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.
15. 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.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.
17. 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](mailto: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.

18. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. 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).
19. Prior to issuance of the final demolition permit, 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.
20. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

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

21. The applicant shall dedicate a 10-foot radius for the public sidewalk at the intersection of S. Blair Street and E. Main Street. These sidewalk improvements are required to accommodate pedestrians crossing South Blair Street. In the future, Traffic Engineering is planning pedestrian crossing improvements for S. Blair Street at E. Main Street. The applicant will need to relocate the bike racks closer to the building outside the additional sidewalk.
22. A condition of approval shall be that no residential parking permits shall be issued for 517-523 E. Main Street; 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. The applicant shall note in the zoning text that no residential parking permits shall be issued for this property. In addition, the applicant shall submit a copy of the lease for 517-523 E. Main Street noting the above condition when submitting plans for City approval. Please contact William Knobeloch or Bill Putman, Parking Utility, at 266-4761 if you have questions regarding this condition.
23. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.
24. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
25. The applicant shall modify the plan so that no part of the driveway approaches shall extend in front



of the property belonging to a person other than the permittee unless both property owners sign a joint application for a permit or driveway radii waiver letter prior to submittal of plans for approval. The driveway approach shall have two 5-foot flare at the driveways, making each driveway approach curb cut of 28 feet and should be revised on the plan.

26. 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.
27. The applicant shall submit a construction staging and traffic control plan prior to final approval of the PUD. A condition of these plans shall be that construction of the project cannot impact pedestrian and bicycle access and mobility.
28. 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)

29. Meet applicable building codes, including accessible requirements.
30. Call out and detail the useable open space area of 6,024 square feet.
31. Show addresses of units on the final plan sets.
32. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
33. Parking requirements for persons with disabilities must comply with MGO Section 28.11 (3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
  - a.) Provide minimum of 1 accessible stall striped per State requirements. This stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b.) Show signage at the head of the accessible stall.
  - c.) The accessible stall shall be as near the accessible entrance as possible.
34. Bike parking shall comply with MGO Section 28.11: Provide one bike parking stall for each apartment (29) provided in a safe and convenient locations on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. Note: A bike-parking stall is 2' by 6' with a 5-foot access area.
35. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .10 watts per square foot. (See City of Madison Lighting Ordinance).
36. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the R6 zoning district and a comprehensive sign package shall be 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.

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

37. The developer shall pay approximately \$43,459.50 for park dedication and development fees for 21 new multi-family units. (Fees in lieu of dedication=(21 @ \$1,477)=\$31,017.00; Park development fees=(21 @ \$592.50)=\$12,442.50). The developer must select a method for payment of park fees before signoff on the rezoning. This development is within the Tenney, Law & James Madison park impact fee district (SI26).

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

38. There shall not be any obstructions between the aerial fire lane and the building. Trees may be present provided they are spaced apart to allow access. Plans C6.0 and A2 show different landscape arrangements. Coordinate final layout with MFD.

39. An NFPA 13 sprinkler system may be necessary to accommodate the professional offices.

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

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

40. Note: This property is in a Wellhead Protection District. The proposed use is permitted in this District. Any proposed change of use shall be reviewed by the Water Utility General Manager or his representative.

**City Assessor's Office** (Contact Maureen Richards, 266-4845)

This agency did not submit comments for this request.

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

This agency did not submit comments for this request.