



## Report to the Plan Commission

January 14, 2013

**Legistar I.D. #28414 & 28592**

**619-625 N. Henry Street, 140 and 145 Iota**

**Court, and 150 Langdon Street**

**Demolition Permit, Conditional Use & PUD Rezoning**

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

**Requested Actions:** Approval of a conditional use for waterfront development and a request to rezone 619-625 N. Henry Street, 140 and 145 Iota Court and 150 Langdon Street from R6 (General Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of an 79-unit apartment building following the demolition of 3 existing apartment buildings at 619 and 625 N. Henry Street and 145 Iota Court, and the renovation of 2 other apartment buildings at 140 Iota Court and 150 Langdon Street. [Earlier versions of the plans called for construction of an 84-unit apartment building to be built.]

**Note:** The application for this project was filed on October 17, 2012 under the 1966 Zoning Code and is subject to review under that ordinance. A corresponding zoning map amendment to rezone the same property to the PD (Planned Development) zoning district under the 2011-12 Zoning Code will provide the development – if approved – conforming zoning under the new code, which went into effect on January 2, 2013.

**Applicable Regulations & Standards:** Section 28.07(6) of the 1966 Zoning Ordinance provides the requirements and framework for Planned Unit Developments; Section 28.12(10) provides the process for zoning map amendments; Section 28.12(12) provides the guidelines and regulations for the approval of demolition permits; Section 28.04(19) provides the standards for waterfront development; Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** If the Plan Commission cannot find that the standards and criteria for approval for demolition permits, conditional uses, zoning map amendments and planned unit developments are met, it should reject the demolition of the apartment buildings at 619 and 625 N. Henry Street and 145 Iota Court and the conditional use for waterfront development, and recommend that the Common Council place on file without prejudice Zoning Map Amendment ID 3643 and 3644, rezoning 619-625 N. Henry Street, 140 and 145 Iota Court and 150 Langdon Street from R6 (General Residence District) to PUD-GDP-SIP.

However, if the Plan Commission determines that the demolition of the 3 existing buildings and the scale, bulk, and mass of the proposed 79-unit apartment building are conceptually appropriate, staff recommends that the Commission refer the demolition permit, conditional use and zoning map amendment to allow the project materials to be revised to provide the necessary information to show how the project will meet the Exterior and Interior Design Criteria for Planned Unit Development Districts with Residential Components in Downtown Design Zones, and for a revised staff report to be prepared that analyzes those more detailed project plans.

Proposed conditions of approval for the project can be found beginning on page 10 of this report.

### Background Information

**Applicant & Property Owner:** Chris Houden, Palisades Apartments, LLC; 6417 Normandy Lane; Madison.

**Agent:** Randy Bruce; Knothe and Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

**Proposal:** The applicant is proposing to raze 3 apartment buildings at 619 and 625 N. Henry Street and 145 Iota Court to allow construction of an 79-unit apartment building. As part of the proposed planned unit development, the applicant also proposes to renovate the Cliff Dwellers Apartments located at 140 Iota Court and a second apartment building located at 150 Langdon Street. The project will commence in the spring of 2013, with completion anticipated in the fall of 2014.

**Parcel Location:** A 0.91-acre site generally located at the southeasterly corner of N. Henry Street and Iota Court; Langdon Street National Register Historic District; Downtown Design Zone 4; Aldermanic District 2 (Maniaci); Madison Metropolitan School District.

**Existing Conditions:** The subject site is developed with apartment buildings located at 619 and 625 N. Henry Street, 140 and 145 Iota Court, and 150 Langdon Street. In addition, the site includes a surface parking lot addressed as 148 Langdon Street. The site was zoned R6 (General Residence District) at the time the application was submitted; the site is zoned DR-2 (Downtown Residential) as of January 2.

**Surrounding Land Use and Zoning:**

North: Chi Psi Fraternity ("The Lodge"), zoned DR-2 (Downtown Residential) [formerly R6 (General Residence District)]; Lake Mendota;

South: Multi-family residence at 615 N. Henry Street; Kappa Kappa Gamma Sorority at 601 N. Henry Street; Kappa Ch. Alpha Chi Omega Sorority at 152 Langdon Street, all zoned DR-2 [R6];

West: Multi-family residences, Chi Phi Fraternity, zoned DR-2 [R6];

East: Private easement driveway; Nottingham Cooperative, Theta Delta Chi Fraternity, and boarding house, zoned DR-2 [R6].

**Adopted Land Use Plans:** The Comprehensive Plan identifies the subject site within the Langdon Downtown Residential Sub-district, which recommends development of mixed-use buildings, small-scale neighborhood-oriented commercial uses and multi-family housing at densities up to 60 units an acre as recommended in more detailed neighborhood plans. The recommended building height in this sub-district ranges from 2-8 stories, with the tallest buildings in the State Street transition area. Historic preservation and neighborhood conservation were identified as issues to be addressed as properties in the sub-district are redeveloped.

The subject site is also included in the Langdon District in the recently adopted Downtown Plan. The Plan recommends that Langdon neighborhood build on its history as a traditional student neighborhood that can accommodate a limited amount of higher-density residential redevelopment on selected sites while maintaining the area's historic and architectural integrity. The Plan recommends preservation and rehabilitation of contributing historic buildings in the Langdon District and higher-density infill redevelopment that is compatible with the historic context in scale and design on non-landmark locations and sites that are not identified as contributing to the National Register Historic District.

A more detailed discussion of the project's conformance with applicable adopted plans follows later in this report.

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

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

**Zoning Summary:** The subject site will be zoned PUD(PD)-GDP-SIP. The project will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design, Utility Easements, Barrier Free, Adjacent to Landmark, Waterfront Development
No:	Wellhead Protection, Floodplain
Prepared by: Pat Anderson, Asst. Zoning Administrator	

## Project Review

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The applicant is requesting approval of a Planned Unit Development zoning district under the 1966 Zoning Code for a 0.91-acre site comprised of 6 parcels containing 5 apartment buildings for the purpose of constructing an eight-story, 79-unit apartment building on 4 of the parcels following demolition of 3 of the existing multi-family residences. Under the transition rules found in Section 28.008 of the 2011-2012 Zoning Code, any application for a zoning map amendment that was filed with and determined to be fully complete by the City prior to the January 2, 2013 effective date of that ordinance shall continue through the process to completion pursuant to the terms and conditions of the ordinances and codes that were in place at the time of filing. If the requested PUD zoning district is approved, the zoning map amendment ordinance contains a provision to assign Planned Development (PD) zoning to the site to provide it conforming zoning under the 2011-2012 code.

The approximately 0.9-acre subject site is generally located at the southeasterly corner of N. Henry Street and Iota Court, a narrow auto court that extends approximately 130 feet east from N. Henry and ends in a cul-de-sac. The eastern edge of the site is formed by an approximately 12-foot wide shared driveway that extends to Langdon Street, which provides the primary access to 5 properties including 1 of the 5 apartment buildings located within the proposed PUD. The subject site is located in the Langdon Street National Register Historic District and Downtown Design Zone 4, which applies to planned unit developments with residential components under the 1966 Zoning Code.

The 6 parcels comprising the proposed PUD zoning district include:

- A three-story, 8-unit apartment building constructed in 1911 located at 619 N. Henry Street that includes 2 apartments in the basement;
- A three-story, 17-unit apartment building located at 625 N. Henry Street originally constructed as a fraternity house in 1916 and converted to apartments in 1974 according to City records;
- The five-story, 37-unit Cliff Dwellers Apartments located at 140 Iota Court, which were constructed in 1973 and overlook Lake Mendota;
- A four-story, 33-unit apartment building constructed in 1912 at 145 Iota Court, which includes a dwelling unit in the basement;
- A surface parking lot located on a parcel addressed as 148 Langdon Street; and
- A three-story, 13-unit apartment building constructed in 1910 at 150 Langdon Street.

The applicant has provided a report on the condition of the buildings to be razed, which is attached to the legislative files for the project, [28414](#) and [28592](#).

With the exception of the Cliff Dwellers Apartments, the other apartment buildings located on the subject site are identified as contributing structures in the Langdon Street National Register Historic

District. More information on these buildings and a full evaluation of the preservation issues surrounding the proposed development are included in the attached November 26, 2012 staff report prepared for the Landmarks Commission by Amy Scanlon, the City's Preservation Planner.

The applicant proposes to demolish the buildings at 145 Iota Court and 619 and 625 N. Henry Street to accommodate the 79-unit apartment building. The proposed building will contain 6 one-bedroom, 14 two-bedroom, 22 three-bedroom, 27 four-unit and 10 five-bedroom apartments on 8 floors, including 6 units to be located on a partially exposed ground floor, which will also include a lobby from Iota Court and an upper level of parking serving the project. In all, the project will be served by 66 underground automobile parking stalls, 55 indoor bike parking stalls, 24 outdoor bike parking stalls, and 31 indoor moped parking stalls. Additional bike parking will be provided in wall-mounted racks within the new building. Access to the indoor parking will be provided by a driveway from N. Henry Street near the northwestern corner of the building. The application does not indicate if the parking located within the envelope of the new apartment building will serve the residents of just that building or the entire proposed planned unit development, which also includes the apartment buildings at 140 Iota Court and 150 Langdon Street.

Above the ground floor, the new building will include 11 dwelling units and a lobby from N. Henry Street on the first full floor. The building incorporates stepbacks beginning at the fifth floor to reduce the mass at the street and from nearby properties. Many of the proposed apartments will include an exterior element such as a full balcony, French balcony, or terrace located on a stepped-back section of the building to provide private open space for the dwelling units. A common rooftop terrace and mechanical room are proposed on the eighth floor of the building ("penthouse floor"). The building will feature a brick exterior above a cast concrete base on the lower eight floors. The penthouse floor will be clad in a non-masonry material that is not labeled on the project plans.

The applicant proposes to renovate the Cliff Dwellers Apartments at 140 Iota Court and the 13-unit apartment building at 150 Langdon Street as part of the proposed PUD. The preliminary renovation plans for the Cliff Dwellers building include new facades on the northerly, lake side and southerly, Iota Court side, including a more prominent entrance at the southeastern corner. As part of the renovation, the existing recessed balconies overlooking the lake will be enclosed and a new glass façade created, which will slightly increase the square-footage of those units. French balconies will be provided for each of the lake-facing dwelling units. On the Iota Court side, the renovated façade will include greater articulation than the existing wall, with projecting balconies proposed to provide outdoor space for some of the units. The interiors of the 37 units are proposed to receive new flooring, lighting, cabinets and wall finishes as part of the renovation. The renovation plans for the contributing 1910 apartment building at 150 Langdon Street are less intensive compared to the plans for the Cliff Dwellers and appear to be primarily intended to restore and modernize the interior of the 13-unit building while bringing the exterior into a state of good repair. The applicant indicates that the renovation of both buildings is intended to add 20-30 years to their useful life.

Outside the three buildings, the applicant proposes to construct a new pedestrian path and fire lane that will extend from the current cul-de-sac of Iota Court east and south around the north and east sides of the proposed 79-unit apartment building. The proposed private lane is intended to provide a fire lane to serve all three buildings as well as a landscaped pedestrian amenity for the overall project. In order to build the proposed path/ fire lane, City staff is requesting that the applicant submit clear proof of ownership and/ or the existence of easement rights for all of the land on which the private lane will extend as well as the final plans and details for approval by Planning Division, City Engineering, Traffic Engineering and Fire Department staff.

## Evaluation & Analysis

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The applicant is requesting approval of a demolition permit and planned unit development under the 1966 Zoning Code to allow construction of an eight-story, 79-unit apartment building with underground parking to replace 3 existing apartment buildings located at 619 and 625 N. Henry Street and 145 Iota Court and a surface parking lot located at 148 Langdon Street. The project also proposes the renovation of 2 other apartment buildings at 140 Iota Court and 150 Langdon Street. Because the Cliff Dwellers Apartments abut Lake Mendota and that building is part of the proposed planned unit development, the entire 0.9-acre site is considered waterfront development per section 28.04(19) of the 1966 code, which requires that a conditional use also be granted for this project. The rezoning of the property from R6 to PUD under the 1966 code is required because the density and mass of the new apartment building would not conform to the bulk and density requirements of the R6 district.

The Plan Commission shall not recommend the adoption of a zoning map amendment unless it finds that the proposed rezoning is "in the public interest and is not solely for the interest of the applicant, and shall not recommend a proposed amendment without due recognition of the master plan of the City." In addition, Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's comprehensive plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

Furthermore, Section 28.07(6)(f) of the 1966 Zoning Code requires that specific criteria be met to determine if a proposed planned unit development "is consistent with the spirit and intent of this ordinance and has the potential for producing significant community benefits in terms of environmental and aesthetic design." The criteria for approval of a planned unit development require that the Plan Commission consider the character and intensity of the proposed development and its compatibility with the surrounding area as well as the preservation and maintenance of open space and the impacts on traffic, parking and demand for municipal services resulting from the project.

The Plan Commission is also required to review the project for conformance with the bulk requirements in Downtown Design Zone 4, which apply to planned unit developments with residential components. Planned unit developments with residential components shall also be consistent with the Exterior and Interior Design Criteria for Planned Unit Development Districts with Residential Components in Downtown Design Zones adopted by resolution by the Common Council in 2001 (attached).

However, a zoning text amendment approved in July 2012 makes planned unit developments in the Downtown Design Zones more similar to planned unit developments elsewhere in the City in that it allows waivers or exceptions to the bulk requirements to be considered, whereas previously those provisions were absolute. Waivers or exceptions to the bulk requirements shall be considered against the criteria for approval in Section 28.07(6)(f) of the 1966 Zoning Code.

The Planning Division has concluded that the demolition of the 3 existing buildings and the scale, height, mass and design of the proposed eight-story, 79-unit apartment building are fundamentally inconsistent with the recommendations of the Downtown Plan, and that the planned unit development and demolition permit do not meet the applicable standards and criteria for approval.

In reviewing the proposal against the criteria for planned unit developments, including the waivers and exceptions to the bulk requirements in Downtown Design Zone 4, the Planning Division believes that the Plan Commission should pay particular attention to criteria 1a and 1b, which address the character and intensity of the land uses and their intensity in a planned unit development district, and require that

their appearance and arrangement be of a visual and operational character which is “compatible with the physical nature of the site or area” (1a) and “would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development [Comprehensive] plan.” (1b)

The 2006 Comprehensive Plan identifies the subject site within the Langdon Downtown Residential Sub-district, which recommends development of mixed-use buildings, small-scale neighborhood-oriented commercial uses and multi-family housing at densities up to 60 units an acre as recommended in more detailed neighborhood and special area plans. The recommended building height in the Langdon sub-district ranges from 2-8 stories, with the tallest buildings to be located closer to State Street. Historic preservation and neighborhood conservation were identified as issues to be addressed as properties in the sub-district are redeveloped.

In addition to the somewhat more specific recommendations for the Langdon sub-district contained in the Comprehensive Plan, the plan also includes a series of broader land use, urban design and historic preservation goals, objectives and guidelines that staff believes are relevant to the consideration of the proposed planned unit development. These are listed in “Attachment A” to this report.

Of the goals, objectives and guidelines contained in Chapter 2, Volume II of the Comprehensive Plan of greatest consequence to the downtown in general is Objective 73, which recognizes Madison’s downtown/campus area as a unique and important City and regional center that merits special planning and design attention. Policies supporting this objective call for the preparation, adoption and implementation of a downtown plan that provides a detailed framework and specific recommendations to guide development activities in the downtown area and establish general land use districts and more detailed sub-districts to guide downtown development beyond those provided in the more general Comprehensive Plan.

The Common Council adopted the Downtown Plan on July 17, 2012. The subject site is located in the Langdon District, which the Plan defines as N. Lake Street on the west, N. Carroll Street on the east, Lake Mendota on the north and by a line that extends mid-block between Langdon Street and State and W. Gilman streets on the south. Most of the planning district is located in the Langdon Street National Register Historic District, which is specifically addressed in Key 7 of the adopted Plan entitled “Build on Historic Resources”. The Plan notes that the district is significant for its high concentration of high-style period revival architecture expressed in large collegiate rooming houses primarily constructed between 1900 and 1930 for the Greek letter societies affiliated with the University of Wisconsin (see Ms. Scanlon’s November 26 staff report to the Landmarks Commission for more discussion of the district’s architectural significance). Although national register districts are not locally regulated, preserving the buildings identified as contributing buildings is a goal of the Plan, which conversely grants that non-contributing buildings should have more flexibility in their potential for redevelopment. Recommendation 191 of the adopted Plan calls for an inventory of historic properties in the Langdon District to be prepared and for the creation of a local historic district that is generally coterminous with the Langdon Street National Register Historic District to be considered.

[Note: References to specific sections of the Downtown Plan in this report reflect the adopted plan that will be published in early 2013.]

The Downtown Plan recommends that the Langdon neighborhood be developed with predominantly residential uses and that it build on its history as a traditional student neighborhood that includes a concentration of fraternities and sororities and multi-family rental structures. The district should continue

to accommodate a limited amount of higher-density residential redevelopment on selected sites while maintaining the area's historic and architectural integrity (Objective 4.9, excerpt).

New development in the Langdon District is recommended to preserve the historic and architectural heritage of the area, enhance the essential character of the neighborhood and not diminish views of Lake Mendota. Specific recommendations for the Langdon District encourage the preservation and rehabilitation of contributing historic buildings (Recommendation 94) and relatively higher-density infill redevelopment that is compatible with the historic context in scale and design on non-landmark locations and sites that are not identified as contributing to the National Historic District (Recommendation 95).

Another component of the Langdon District plan recommendations is the enhancement of access to Lake Mendota and formalization of the *ad hoc* pedestrian path between the lake and Langdon Street to enhance the path's aesthetics and safety and to make stronger connections to the proposed lakefront path. The Plan recommends that implementing these amenities be pursued in conjunction with new development adjacent to these corridors, but that implementation of the amenities should not be justification for approving new development that is otherwise inconsistent with the recommendations of this plan.

The residential use and density contained in the proposed planned unit development, and the proposed pedestrian path/ fire lane to serve the development, are generally consistent with the residential land uses primarily recommended for the district in the Downtown Plan and with the recommendation to begin implementation of the mid-block pedestrian path to serve this area. However, staff does not believe that the demolition of 3 buildings determined to be contributing structures in Langdon Street National Register Historic District is consistent with the recommendations noted above that new development preserve the historic and architectural heritage of the Langdon District and that contributing structures be preserved. Staff further believes that despite the efforts the applicant has made to reduce its visual impact, that the scale, bulk and mass of the 79-unit apartment building is not consistent with the historic scale of the area, which aside from a smattering of taller 1960s and 1970s-era apartment buildings, is predominantly characterized by lower-scale structures dating back primarily to the first three decades of last century, including 4 of the 5 buildings on the subject site. Planning Division staff has prepared the attached mass and void exhibits to illustrate the potential inconsistency of the proposed mass of the 79-unit building with its surroundings.

The proposed planned unit development will exceed the maximum floor area ratio (FAR) of 3.0 in Downtown Design Zone 4, which requires that a waiver to that maximum be granted as allowed by the 2012 amendment to the 1966 Zoning Code. Sheet C-1.0 of the development plans indicates that the overall planned unit development will have an FAR of 3.67, which includes the existing apartment buildings at 140 Iota Court and 150 Langdon Street (146,022 square feet of gross floor area in 3 buildings on 0.91 total acres (39,760 square feet)). The current FAR of the site is 1.63 based on 65,053 square feet of gross floor area in the 5 existing buildings based on City records.

The proposed 79-unit apartment building is also one story taller than recommended on the Maximum Building Heights Map that was adopted as part of the Downtown Plan, and three stories taller than the five-story maximum allowed in Downtown Design Zone 4, which requires that a waiver to that maximum be granted for this planned unit development. As defined in the Downtown Plan, height is measured from the highest point along a building setback line paralleling any street adjacent to the site, so that building facades on the downhill side can be taller than shown on the Maximum Building Heights Map. Staff has determined that the proposed building will stand eight stories above N. Henry Street when measured from the southwestern corner of the building to the top of the penthouse floor, which is

considered a story because that floor includes public access via stairs and elevators to the rooftop open space amenity. The partially exposed ground floor level along Iota Court does not count in this determination.

The adopted Maximum Building Heights Map recommends that the eastern half of the Langdon District from just east of N. Frances Street to N. Carroll Street generally be developed with up to five-story buildings, though an area on the east side of N. Henry Street and centered on Iota Court (extended), including the subject site, is identified in Additional Height Area F, which is one of eight areas that allows an additional two stories to be considered. According to the Plan, the consideration of additional stories is based on the existence of special characteristics that make it reasonable to allow buildings slightly taller than the recommended base height using the conditional use procedures, provided that the additional criteria specified in Appendix C of the Downtown Plan were also met.<sup>1</sup> The additional stories are intended to provide additional design flexibility to address the unique circumstances in these areas, and to create an incentive for projects that go beyond what is otherwise required to help achieve other objectives of this plan. The subject proposal includes a new building taller than the five base stories and two additional stories recommended for Area F on Maximum Building Heights Map, and was submitted as a planned unit development under the 1966 Zoning Code, which has no absolute height limit. However, staff believes that the criteria included in the Downtown Plan for considering additional stories within Area F as a conditional use provide a relevant additional basis for evaluating the height of buildings proposed as part of a planned unit development.

The specific criteria for additional building height included in Appendix C that apply to the proposed development are:

Additional Building Height Areas E and F (Langdon)

These two small areas within the Langdon District are portions of large, deep blocks that slope downward towards Lake Mendota. Both areas are in a National Register Historic District and include identified contributing buildings, and any new development should enhance that character. The base height recommendation for both areas is 5 stories, but a few taller buildings might be appropriate in the middle of these blocks if set well back from the street.

Staff has concluded that the proposed eight-story, 79-unit apartment building, as designed, does not meet the criteria in the Downtown Plan for the additional building height requested. In addition to being one story taller than the maximum building height recommended even with the two additional stories, staff does not believe that the building can be found to further the Downtown Plan's objectives and recommendations for the Langdon District, which is one of the criteria set forth for the consideration of the additional stories. As stated previously, staff believes that the scale and mass of the proposed building does not preserve or enhance the historic character of that district, or that the additional stories proposed are being driven by the unique characteristics of the site or Area F. Further, while the development incorporates stepbacks on the upper floors to limit the visual impacts of the building, its placement along N. Henry Street and overall mass do not comport to the recommendation that the taller buildings be set back from the street.

In addition, the Psi Chi Lodge located across Iota Court from the proposed 79-unit apartment building and adjacent to the Cliff Dwellers is a designated City Landmark. Section 28.04(3)(n) of the 1966

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<sup>1</sup> This process was codified in the 2011-2012 Zoning Code adopted by the Common Council on October 16, 2012. Consideration of additional height as a conditional use is not part of the 1966 Zoning Code under which this project is being reviewed.



Zoning Code and Section 28.144 of the 2011-2012 Zoning Code require that the Landmarks Commission make an advisory recommendation to the Urban Design Commission and Plan Commission for any proposed development adjacent to a designated landmark, specifically that "...to determine whether the proposed development is so large or visually intrusive as to adversely affect the historic character and integrity of the adjoining landmark or landmark site." Similar to the applicability of the conditional use for waterfront development to the entire project, staff determined that entire planned unit development was subject to the Landmarks Commission's review.

In reviewing the proposed planned unit development prior to the Landmarks Commission's November 26, 2012 review of the project, Amy Scanlon, the City's Preservation Planner, recommended that the Landmarks Commission find the project to be so large and visually intrusive that it would have an adverse affect on the historic character and integrity of the adjacent landmark, citing that "the redevelopment proposal does not provide a design that is compatible with the existing character of the neighborhood in mass or scale," and that the style of the proposed building does not "rise to an exceptional quality that could balance the loss of three contributing structures." She further concluded that the proposal did not demonstrate structural deficiency in the 3 buildings to be razed that would warrant their demolition or a new building such as the 79-unit apartment building proposed.

At its November 26, 2012 meeting, the Landmarks Commission voted unanimously to forward Ms. Scanlon's staff report in its entirety to the Plan Commission and Urban Design Commission as the advisory opinion of the Landmarks Commission (see attached report).

On December 19, 2012, the Urban Design Commission recommended rejection of the proposed planned unit development citing a lack of architectural merit that does not warrant the bonus stories as noted within the Downtown Plan. The motion further stated that the Commission could not make a finding that the planned unit development approval criteria in Section 28.07(6)(f) of the Zoning Code were met, nor that the Exterior and Interior Criteria for Planned Unit Development Districts in Downtown Design Zones were appropriately addressed to grant a waiver to the bulk standards. The motion to recommend rejection passed on a vote of 4-3 (see the attached report, and the report from a previous UDC discussion of this project on November 7, 2012).

Finally, the applicant has not provided sufficient detail with the most recent iteration of the project plans to allow staff to determine if all of the Exterior and Interior Design Criteria for Planned Unit Development Districts with Residential Components in Downtown Design Zones can be met for the proposed PUD zoning district. As noted in the statement of purpose for the design criteria, the criteria are intended to serve as a tool for City staff, Urban Design Commission, and Plan Commission by providing a checklist of the primary elements to be considered when PUD requests for residential projects in the Downtown Design Zones. However, most of the discussions with the applicant and his project team, like most of the body of this staff report, have focused on the scale, bulk, mass, and architectural expression of the eight-story, 79-unit apartment and less so on the density or function of the building if approved.

Should the Plan Commission determine that the demolition of the 3 existing buildings and the scale, bulk, and mass of the resulting apartment building are conceptually appropriate, staff believes that the Commission could refer the project to allow the project materials to be revised to fully describe how the project will meet the exterior and interior design criteria and for a revised staff report to be prepared that analyzes those more detailed project plans. However, if the Plan Commission does not find that the proposed demolitions and new apartment building are appropriate and can meet the applicable standards and criteria for approval, staff feels that it would be unnecessary for the applicant to expend further resources on the project.

## **Conclusion**

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The Planning Division believes that, as designed, the proposed development does not meet the standards and criteria for approval of demolition permits, zoning map amendments and planned unit developments. The demolition of the three contributing apartment buildings in the Langdon Street National Register Historic District and the scale, height, mass and design of the proposed eight-story, 79-unit apartment building are inconsistent with the recommendations of the Downtown Plan. Staff does not believe that the proposed planned unit development is compatible with the physical nature of the surrounding area and does not believe that the proposed height of the building, which exceeds the maximum recommended height by at least one story, meets the criteria for the additional stories requested.

Staff does not believe that the related demolition permit should be approved due to the inconsistency between the proposed eight-story, 79-unit apartment building and the Downtown Plan, and staff's belief that the project does not meet the standards and criteria for planned unit developments, many of which are the same as those for demolitions.

## **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)

If the Plan Commission cannot find that the standards and criteria for approval for demolition permits, conditional uses, zoning map amendments and planned unit developments are met, it should reject the demolition of the apartment buildings at 619 and 625 N. Henry Street and 145 Iota Court and the conditional use for waterfront development, and recommend that the Common Council place on file without prejudice Zoning Map Amendment ID 3643 and 3644, rezoning 619-625 N. Henry Street, 140 and 145 Iota Court and 150 Langdon Street from R6 (General Residence District) to PUD-GDP-SIP.

However, if the Plan Commission determines that the demolition of the 3 existing buildings and the scale, bulk, and mass of the proposed 79-unit apartment building are conceptually appropriate, staff recommends that the Commission refer the demolition permit, conditional use and zoning map amendment to allow the project materials to be revised to provide the necessary information to show how the project will meet the Exterior and Interior Design Criteria for Planned Unit Development Districts with Residential Components in Downtown Design Zones, and for a revised staff report to be prepared that analyzes those more detailed project plans.

The following conditions of approval have been submitted by Planning staff and reviewing agencies:

### **Planning Division Conditions:**

1. The developer shall submit clear proof of ownership and/ or the existence of easement rights for all of the land on which the private fire lane/ pedestrian path is proposed to extend south and east from Iota Court prior to the final approval for recording and the issuance of demolition and building permits. The proof of ownership and easement rights shall be approved by the Director of the Planning Division in consultation with the City Assessor's Office, City Engineering Division, and City Attorney's Office.

2. The developer shall provide final plans and details for the private fire lane/ pedestrian path proposed along the eastern edge of the development for approval by the Planning Division, City Engineer, Traffic Engineering Division and Fire Department prior to final approval for recording and the issuance of demolition and building permits. At a minimum, the final plans shall include a fully dimensioned site plan for the entire private fire lane/ pedestrian path; grading, lighting and landscaping plans, and; construction details including the proposed pavement and sub-surface thickness.
3. That the planned unit development plans be revised per Planning Division approval prior to final approval for recording and the issuance of demolition and building permits as follows:
  - 3a. All applicable project plans shall be revised to show the limits of the entire planned unit development district, including all proposed site improvements (lighting, landscaping, setbacks, etc.) at 140 Iota Court and 150 Langdon Street;
  - 3b. The plans shall identify the location of all outdoor mechanical equipment (ground and roof) and how any such equipment will be effectively screened for aesthetic and acoustic purposes;
  - 3c. The table on Sheet C-1.0 shall be revised to identify the new tower as "The Waterfront" instead of "Proposed Development" as currently shown so that each component of the PUD is clearly represented;
  - 3d. Provide detailed floorplans of each level of each building in the PUD, including the interior layout of all proposed dwelling units;
  - 3e. Provide dimensioned and labeled elevations for each façade of each building in the PUD;
  - 3f. Provide one bike parking stall per dwelling unit for each unit in the development as required by the Zoning Code (2 feet wide, 6 feet deep, with a 5-foot access aisle and 5 feet of vertical clearance); the bike parking provided for the remainder of the development may be provided through alternative means, including the proposed wall-mounted racks;
  - 3g. Clarify whether the parking in the 79-unit building will be available to the residents of the rest of the development.
4. That the zoning text be revised per Planning Division approval prior to final approval for recording and the issuance of demolition and building permits as follows:
  - 4a. Include a Statement of Purpose for the PUD that briefly addresses the specific components of the district;
  - 4b. The use list for the PUD shall be as follows as shown on the approved plans:  
*Conditional Uses:* Multi-family residences; leasing/ maintenance offices; accessory automobile, bicycle and moped parking and loading; and accessory uses related to the conditional uses.
  - 4c. That the Accessory Off-street Parking and Loading section be revised to provide information on whether the proposed parking in the new tower will be available to the residents of 140 Iota Court and 150 Langdon Street and under what conditions;
  - 4d. That the Signage section be revised to eliminate references to commercial uses and C2 zoning;
  - 4e. That a Family definition be added; staff recommends that the occupancy of each unit be limited to one occupant per bedroom plus one additional occupant (i.e.: a three-bedroom apartment could have a total occupancy of 4 persons), which would be consistent with recent approvals for student-oriented planned developments.
5. The applicant shall submit a management plan for approval by the Director of the Planning Division following a recommendation from the Director of Building Inspection Division. The property owner and management company shall abide by the terms of the plan. The property owner shall submit for approval any changes to management procedures or the management company as an alteration to the PUD. The approved management plan shall be referenced in the zoning text and recorded as part of the final PUD.

6. That the applicant submit complete renovation plans for the apartment buildings at 140 Iota Court and 150 Langdon Street to remain for approval by the Director of the Department of Planning and Community and Economic Development prior to the recording of the planned unit development and the issuance of any demolition or building permits for the new apartment building. All necessary permits for the renovation of the two existing buildings shall be issued prior to the issuance of demolition or building permits for the new apartment building, the renovation work begun on both buildings prior to requesting a Certificate of Occupancy for the new apartment building, and the renovation work completed according to the approved plans within 6 months of the issuance of the Certificate of Occupancy for the new apartment building.
7. That the applicant submit proof of financing and executed contracts with construction firms for the entire scope of the project, including renovation of the two apartment buildings to remain, which provide assurances that the entirety of the project will be completed once started, in a form acceptable to the Director of the Department of Planning and Community and Economic Development prior to the recording of the planned unit development and the issuance of any building permits. For the purposes of this condition, the entire scope of the project shall mean all excavation; site utility construction; construction of improvements in the public right of way and on the zoning lot; structural, electrical, plumbing and mechanical construction, and; any other building improvements and furnishings required by the Director of the Building Inspection Division for the issuance of Certificates of Occupancy for the project. The scope of the approved renovation plans for 140 Iota Court and 150 Langdon Street shall be provided as part of this condition.
8. That the applicant receive approval of a Certified Survey Map (CSM) of the proposed planned unit development zoning district prior to final approval and recording of the PUD and the issuance of demolition or building permits, and that the CSM be recorded prior to issuance of any permits. The CSM shall create a minimum of 3 lots, including one lot for the proposed 79-unit apartment building, and one lot each for the apartment buildings at 140 Iota Court and 150 Langdon Street proposed to remain. Approval of the CSM shall be conditioned upon the granting of the easements necessary to maintain the private fire lane/ pedestrian path contained in the proposed PUD that will be shared by the 3 lots.
9. That the applicant work with the Planning Division to dedicate a permanent public easement for the lakefront pedestrian/ bicycle path along the northern edge of 140 Iota Court adjacent to Lake Mendota as recommended in the Downtown Plan. The final easement shall be reflected on the final PUD plans and dedicated on the CSM required in the above condition.

The following conditions have been submitted by reviewing agencies:

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

10. A Certified Survey Map (CSM) application shall be completed and recorded with the Dane County Register of Deeds prior to issuance of building permits. The CSM shall be signed off by City Engineering staff prior to final approval of the PUD. The concurrent CSM application shall be completed and CSM recorded with the Dane County Register of Deeds so that proper Address-Parcel-Owner (APO) data can be compiled and activated in appropriate City databases to ensure that all building permits are to be administered and issued under the current and appropriate parcel data.

11. In accordance with 10.34 MGO – Street Numbers: When site plans are final, submit a PDF of each floor plan to Lori Zenchenko in Engineering Mapping (Lzenchenko@cityofmadison.com) so that an 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. Based on the applicant's submittal, this is understood to be a combined demolition/rezone application for multiple properties. It appears that the demolition request is for three apartment buildings; 619 and 625 N. Henry Street and 145 Iota Court. Final Accela permit applications shall be made separately for each building address for logistics purposes.
13. Proposed pervious concrete drive and concrete walks appear to be on properties not included in this PUD and not controlled by the applicant. Prior to final approval, provide evidence of easement rights for these improvements and easement rights for the use of the private egress driveway easement (Document No. 441969 as recorded at the Dane County Register of Deeds).
14. The City will reconstruct Iota Court in 2013. The applicant shall coordinate his/her work to allow for said construction and agree to work cooperatively with the City and their contractor performing this work. If additional modifications are requested by the applicant beyond the original scope of the City's project, the City may be able to construct and assess those improvements. The applicant shall be required to meet with City Engineering to discuss the timing of the improvements related to the street and utility reconstruction project.
15. The City intends to reconstruct N. Henry Street in 2013. The applicant shall coordinate utility connections with the street reconstruction project. Of particular interest is the sanitary sewer service for the redevelopment. The City would like to pursue routing the sewer for this development down N. Henry Street to reduce the flow on the sewer main on the lakeshore. Revise plans to show all sewer connections to N. Henry Street (southeast). The Applicant may be required to dedicate a sanitary sewer easement with this project and shall coordinate the location with the City Engineering Division.
16. The applicant shall submit sanitary sewer flow estimates to confirm that the City sewer has adequate capacity to serve the proposed development.
17. The applicant shall provide a staging and phasing plan for the construction of the improvements on Iota Court. Street occupancy permits will be required and must be coordinated with the City's reconstruction project. Provide easement rights for use of the private drive easement to facilitate the construction.
18. Provide detailed earth retention plans and any required construction access easement agreements for the neighboring properties if impacted by the construction.
19. The applicant shall dedicate an additional 26-foot wide right of way from the end of Iota Court to the existing private drive access easement. The right of way dedication shall be based on the final street and cul-de-sac configuration and shall be coordinated with the required CSM.
20. Additional easements for street lighting and signing may be required with the CSM to accommodate the City's reconstruction of Iota Court.

21. The plans show the proposed storm sewer being connected to a private storm sewer within the 4-foot private access easement (Document No. 441969) that goes to the lake. Provide evidence of the right to connect to this private storm sewer. If no rights exist the Applicant shall be required to get an easement that dictates the rights and responsibilities for connection to this private system.
  22. Provide a pumping plan for the underground parking garage. The pumping plan will need to be stamped by a professional engineer or master plumber and it shall be designed to handle the 100-year storm event.
  23. The parking level plan shows the foundation walls going to the southerly property line of the development shared with the property at 150 Langdon Street. Verify that the footings for this structure are contained within the proposed CSM lot or provide an easement agreement for the encroachment.
  24. All non-standard improvements in the right of way will require a maintenance agreement and are subject to approval by the Board of Public Works.
  25. Sanitary lateral plugging shall be in accordance with revisions to Section 35 of the Madison General Ordinance including additional fee for plugging at the main.
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26. 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.
  27. The applicant shall dedicate a 6-foot wide strip of right of way along Iota Court.
  28. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
  29. The approval of this planned 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.
  30. 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.
  31. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.

32. The applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
33. 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.
34. All work in the public right of way shall be performed by a City-licensed contractor.
35. All damage to the pavement on N. Henry Street and Iota Court adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
36. Storm sewer to serve this development will be designed and constructed with the Iota Court reconstruction project in 2013. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
37. 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.
38. 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.
39. If the lots within this site plan are interdependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
40. 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 Section 37 of Madison General Ordinances.
41. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [izenchenko@cityofmadison.com](mailto:izenchenko@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. E-mail 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.

42. 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).
43. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
44. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm 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. A \$100 non-refundable deposit will cover for the cost of inspection of the plugging by City staff; and the remaining \$900 will cover 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.
45. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's 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.
46. 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 Eric Halvorson, 266-6527)

47. The developer shall widen Iota Court and the access extension on the east side of the buildings to 18-20 feet wide to provide adequate loading, access and circulation.
48. The project shall provide an access lane/ loading zone/ parking lane on N. Henry Street outside the existing street width and terrace/ sidewalk.
49. The project shall provide a construction/ staging plan prior to final approval.
50. The applicant will need to demonstrate how truck service will ingress and egress the site.
51. The applicant shall provide a public street lighting plan for staff review and approval.
52. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by the Traffic Engineer Division to accommodate the microwave sight and building. The applicant shall submit grading plans and elevations 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.
53. Any legal cross access easements and encumbrances on the site and lot shall be shown, and documents provided.



54. 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, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
55. 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.
56. The applicant shall be required to provide any necessary easements for the installation of street lights, traffic signals, including control box, loops, hand-holes, markings and signing.
57. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible. If the internal street is to be public, the developer shall provide an upfront capital fee for the annual upkeep and maintenance, to be determined by the Traffic Engineer.

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

This agency did not submit comments for this request.

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

58. The developer shall pay \$197,685.60 in park impact fees (2013 fees in lieu of parkland dedication and for park development) for the 84 multi-family units proposed lest a credit of \$136,497.20 for the 58 existing units located in the 3 buildings to be demolished. The developer must select a method for payment of the **\$61,188.40** of park fees due before signoff on the SIP. This development is within the Tenney-Law-James Madison park impact fee district (SI26).

**Fire Department** (Contact Bill Sullivan, 261-9658)

59. Regarding 619-625 N. Henry Street, as stated on page 4 of the letter of intent, "Creation of fire access lane serving adjoining properties," is much needed for the safety of the area; however, the plans do not designate any fire lanes other than the existing public street (N. Henry Street). The improvements to the shared parcel of 138 Langdon Street would only be considered as a fire lane if the surface is capable of supporting 85,000 lbs. With the modifications to the building and site for 140 Iota Court, aerial fire access would be required.

60. With the renovation to 150 Langdon Street and the desire to remove the fire escapes, 150 Langdon Street shall be sprinklered in accordance with NFPA 13R.

61. Note: Please consider allowing the Madison Fire Department to conduct training sequences in the buildings prior to demolition. Please contact the MFD Training Division at 246-4587 to discuss this possibility.

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

62. The Madison Water Utility shall be notified to remove the water meters prior to demolition.

63. Per MGO Sec. 13.21, all wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Police Department** (Contact Frank Chandler, 266-4238)

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.

## **Attachment A**

Below are the recommendations contained in the Comprehensive Plan that are referenced on page 6 of this report.

### **Chapter 2, Volume II:**

**Objective 22:** Seek to reduce the demand for vacant development land on the periphery of the City by encouraging urban infill, redevelopment, and higher development densities at locations recommended in City plans as appropriate locations for more intense development.

**Policy 1:** Identify potential infill and urban redevelopment locations in the Comprehensive Plan, neighborhood plans for established neighborhoods and through special planning studies of specific areas.

**Policy 2:** The City should identify priority redevelopment and infill development areas, focusing first on those sites that have the potential to redevelop or develop within the next five years.

**Policy 3:** Place a high-priority on reuse or more intensive use of sites within the City where adopted City plans recommend reuse, redevelopment and/or infill development.

**Policy 4:** Use the following principles of redevelopment to guide all infill, redevelopment and adaptive reuse projects within the older neighborhoods and districts of the City:

- Maintain an easily walkable neighborhood size (approximately one-quarter mile from neighborhood center to edge).
- Maintain or seek to create clearly defined neighborhood centers, edges and gateways.
- Redevelopment scale and density should be appropriate to redevelopment objectives defined in the applicable City plans and reasonably compatible with established neighborhood character—including the evolving character in areas with substantial redevelopment.
- Maintain or improve an interconnected grid-like street pattern with relatively narrow local streets. Maintain or provide on street parking to the extent feasible.
- Provide a diversity of housing types, sizes, tenure and costs.
- Maintain, enhance or seek to create a strategic mix of non-residential uses appropriate to the location and potential market so that at least some neighborhood supporting goods and services are conveniently available to residents.
- Provide adequate parks and community gathering places.
- Protect and enhance defining neighborhood views.
- Preserve and enhance established neighborhood character and design.

**Policy 5:** Take City actions to initiate and support private investment on City-identified and planned infill, redevelopment and/or reuse sites.

Note: Such actions might include, for example, land assembly and clearance, developer solicitation and selection, and construction of capital improvements.

**Policy 6:** Develop and provide incentives for the reintroduction of neighborhood businesses and services, especially neighborhood - serving grocery stores, into appropriate locations of under-served established neighborhoods.

Note: These incentives might include, for example, assistance with market studies, site assembly, environmental clearances, business capital investment, employee training, and other measures.

**Objective 40:** Protect Madison's historic structures, districts and neighborhoods and encourage the preservation, rehabilitation, maintenance and adaptive reuse of high-quality older buildings.

**Policy 1:** Continue to enforce existing City regulations, policies and programs that protect Madison's historic structures, districts and neighborhoods and foster the preservation, rehabilitation and maintenance of existing buildings.

**Objective 41:** Maintain a balance between redevelopment and preservation in established neighborhoods that recognizes the general satisfaction of many residents with their neighborhoods as they currently are and focuses redevelopment activity on selected areas and sites within the neighborhood where the objectives of increased density and a wider range of uses will be most supportive of objectives to maintain existing neighborhood character and quality.

**Policy 1:** Protect residential areas from inappropriate commercial and industrial encroachment by directing those activities to the locations identified in adopted plans.

**Policy 2:** General locations where a transition into a denser neighborhood or district is appropriate should be identified in the Comprehensive Plan and in detailed neighborhood development plans and other special area plans.

*Note: In many cases, not all sites within a "transition" area are necessarily recommended or expected to be redeveloped. Often redevelopment will be directed toward the smaller, more obsolete or poorly maintained sites, while more substantial, attractive or historically interested structures are recommended for rehabilitation or adaptive reuse.*

**Policy 3:** In general, predominantly single - family blocks within established neighborhoods should continue in this use, since significant intensification in these areas could be detrimental to the neighborhood and exceed infrastructure capacities.

**Policy 4:** In neighborhoods that currently are deficient in neighborhood-supporting uses, such as neighborhood activity centers and gathering places, convenience shopping and services, or recreational opportunities, neighborhood plans should explore the interest in these amenities and seek to identify appropriate locations where limited amounts of these additional uses might beneficially be introduced.

**Policy 5:** Where appropriate, as determined by adopted neighborhood plans, established neighborhoods may be retrofitted with neighborhood-serving civic uses such as parks, recreation centers, library branches, schools, or day care, which offer opportunities for building community, but which do not unnecessarily dislocate viable existing housing stock.

**Objective 42:** Ensure that new development is compatible with the existing and planned design and development characteristics of the neighborhood and minimize land use conflicts between infill or redevelopment projects and existing neighborhood development.

**Policy 1:** Infill development or redevelopment in existing neighborhoods should be designed to incorporate or improve upon existing positive qualities such as building proportion and shape, pattern of buildings and yards, building orientation to the street, and building materials and styles.

**Policy 2:** Recognize that infill development is not inherently “good” simply because it is infill, or higher density because it is higher density. Where increased density is recommended, it is always only one among many community and neighborhood objectives, and other factors such as architectural character and scale (including building height, size, placement and spacing) block and street patterns, landscaping and traffic generation are also important.

**Objective 51:** Protect and enhance features and places within the community that are of architectural and historical significance.

**Policy 1:** Continue to enforce existing City regulations, policies and programs that protect Madison’s historic structures, districts and neighborhoods and foster the preservation, rehabilitation and maintenance of existing buildings.

**Policy 2:** Existing buildings that add to the vitality of the street and the historic fabric of the City should be preserved or adapted to meet the changing needs of our neighborhoods.

**Policy 3:** New developments should create harmonious design relationships between older and newer buildings, particularly in older neighborhoods with an established character and buildings of historic or architectural interest and value.

**Objective 75:** Promote land use diversification and increases in development densities at selected locations in Madison’s downtown area.

**Policy 1:** Promote and preserve the downtown’s unique social and cultural character by:

- Enhancing daytime and nighttime activities;
- Providing and maintaining public spaces for community entertainment, exhibits and public gatherings;
- Supporting and enhancing the vitality of the arts and entertainment for diverse ethnic, age, and social groups in the downtown;
- Involving a diversity of people in decision-making and planning for downtown arts, cultural and entertainment activities.

**Policy 2:** Increase high-quality employment and diverse housing opportunities in the downtown area by identifying appropriate redevelopment and infill sites through the planning process, and facilitating development at these locations.

**Policy 3:** Facilitate through detailed sub-area planning and incentives, the development of Transit-Oriented Developments at appropriate locations within the downtown area.

**Policy 4:** Strategically use existing City tools and powers, such as land assembly, eminent domain, tax incremental district financing, and revenue bonding, to help implement downtown reinvestment projects identified through City planning processes.

**Objective 79:** Increase the amount of housing in the downtown/campus area and provide a variety of housing choices for different household types, sizes, and incomes, including families and lower-/ middle-income households.

**Policy 1:** Develop downtown housing as part of vibrant mixed-use neighborhoods that include a range of neighborhood-serving retail, service and recreational activities.

**Policy 2:** Identify and guide new housing to appropriate residential and mixed-use development locations in downtown neighborhoods, in the East and South Campus areas, and in the near east, west and south Isthmus neighborhoods that provide significant housing opportunities convenient to the downtown.

Note: Detailed downtown plans and Isthmus area neighborhood plans will identify more specific locations for housing development in the downtown/Isthmus area.

**Policy 3:** Develop and implement strategies to encourage owner-occupied or long-term rental/ lease residential properties in established neighborhoods.

**Policy 4:** Locate a large proportion of housing for University students within walking distance of campus.

**Policy 5:** Efforts to build additional housing in the downtown/Isthmus area should not result in extensive demolition of quality, existing housing that is perceived by the community to be valuable to the neighborhood.

**Policy 6:** As housing markets change, foster the rehabilitation and redevelopment needed to ensure a quality-housing environment for all people.

**Policy 7:** Explore the creation of City programs to rehabilitate historic downtown residential properties.

**Objective 82:** Create a high-quality physical and design environment downtown that is inspiring, creative, diverse and complementary of historic and natural resources.

**Policy 1:** Ensure that downtown buildings are of the highest quality design and make positive and lasting contributions to the City's rich architectural and design heritage.

Note: Additional urban design goals, objectives and policies are found in the Urban Design section of the Land Use chapter.

**Policy 2:** Preserve and enhance through complementary infill development, the character of downtown's unique places and established neighborhoods.

**Policy 3:** Preserve and protect historically and architecturally significant older buildings in the downtown area.

**Policy 4:** Promote the adaptive re-use of older buildings that contribute to the overall design and character of downtown.

Chapter 8, Volume II:

**Objective 3:** Ensure that redevelopment and infill projects throughout the City are compatible with and complement existing historic resources and characteristics in the area.

**Policy 1:** Identify historic resources throughout the City using the *Madison Intensive Survey* and City adopted neighborhood and special area plans.

**Policy 2:** Preserve and enhance historic resources through tools such as Neighborhood Conservation Areas, Historic Districts and similar historic preservation tools.

**Objective 5:** Continue to identify methods to encourage better stewardship of older downtown buildings.

**Policy 1:** Continue to assist downtown neighborhoods with historic building maintenance and encourage historically compatible alterations.

**Policy 2:** Continue to educate downtown property owners about programs and funding to better restore and preserve historic sites and buildings.

**Objective 6:** Encourage redevelopment in the downtown area that will enhance the historic character and livability of downtown neighborhoods.

**Policy 1:** Work with downtown neighborhoods in identifying vacant sites and buildings that do not contribute to the historic character of the downtown and therefore may be candidates for potential redevelopment.