



PLANNING DIVISION STAFF REPORT

April 13, 2020

PREPARED FOR THE PLAN COMMISSION

Project Address: 8110-8134 Mid-Town Road, 1833-1859 Waldorf Boulevard, 8137 Mayo Drive, and 1902 Carns Drive (District 1 – Ald. Harrington-McKinney)

Application Type: Planned Development Zoning Map Amendment

Legistar File ID # [59635](#)

Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Rick Wessling; Urbanworks Architecture, LLC; 901 N. Third Street, Suite 145; Minneapolis, MN 54401

Property Owner: JCAP Real Estate; 212 S. Barstow Street; Eau Claire, WI 54701

Requested Action: There are two Planned Development zoning map amendments requested: approval of an amended General Development Plan (PD-GDP) and approval of a Planned Development – Specific Implementation Plan (PD-SIP) to allow construction of a residential building complex containing 276 apartments in three buildings at 8110-8134 Mid-Town Road, 1833-1859 Waldorf Boulevard, 8137 Mayo Drive, and 1902 Carns Drive.

Proposal Summary: The applicant proposes to amend the Midtown Center PD-GDP and approve a PD-SIP, rezoning five undeveloped lots (Lots 1, 4, 5, 6, 7 and Outlot 1) in order to build a residential building complex containing 276 apartments in three buildings. The proposed buildings will be four to six stories in height and include a total of 372 automobile parking stalls (274 structured and 98 surface). The remainder of the surrounding block is built out with two residential buildings northeast of the subject site.

Applicable Regulations & Standards: This proposal is subject to the approval standards for Zoning Map Amendments [MGO §28.182(6)] and Planned Developments [MGO §28.098]. The Urban Design Commission is required to review and make a recommendation to the Plan Commission on both the GDP and SIP based on the design objectives in Subsection 28.098(1) and other PD requirements.

Review Required By: Urban Design Commission, Plan Commission, and Common Council.

Summary Recommendation: This proposal is consistent with some, but not all recommendations in adopted plans. If the Plan Commission finds that the proposal meets the approval standards, it should forward Zoning Map Amendment ID 28.022-00429 approving an Amended Planned Development - General Development Plan (Amended PD-GDP), and Zoning Map Amendment ID Section 28.022-00430 approving a Planned Development - Specific Implementation Plan (PD-SIP) for 8110-8134 Mid-Town Road, 1833-1859 Waldorf Boulevard, 8137 Mayo Drive, and 1902 Carns Drive to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and conditions recommended by reviewing agencies beginning on page 12.

In the alternative, should the Plan Commission not find that the proposal meets the applicable standards, including Planned Developments Standard [28.098(2)(b)], the Plan Commission should recommend that these items be placed on file. The Commission should provide findings of fact, listing the standards that have not been met and the reasons such standards were not met as part of their recommendation to the Common Council.

Background Information

Parcel Locations: The subject site is composed of five parcels, which together total 211,876 square-feet (4.86 acres) in size. Along with the two other parcels located along Mayo Drive, which have been developed with residential apartment buildings, they form the Midtown Center block, which is bordered by Mid Town Road to the south, Waldorf Boulevard to the west, Mayo Drive to the north, and Carns Drive to the east. The parcels fall within Aldermanic District 1 (Ald. Harrington-McKinney) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject sites are currently vacant, and are zoned Planned Development – General Development Plan (PD-GDP).

Surrounding Land Uses:

North: A 44-unit condominium with roughly 8,500 square-feet of ground floor commercial, zoned PD (Planned Development) District. Across Mayo Drive is an 80-unit apartment building, zoned PD.

South: Across Mid Town Road is a single-family house and agricultural land, both in the RR-8 (Rural Residential zoning district (Dane County));

East: Across Carns Drive is an eight-unit apartment building and a 25-unit condominium building, both zoned PD.

West: Across Waldorf Boulevard is a 44-unit condominium with roughly 8,500 square-feet of ground floor commercial; a 34-unit, multi-family apartment building; and a veterinary hospital, all zoned PD.

Adopted Land Use Plans: The [2018 Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU) development for the roughly 200-foot strip of the subject site which runs along the eastern side of Waldorf Boulevard and Medium Residential (MR) development for the remainder of the site to the east. The [High Point - Raymond Neighborhood Development Plan \(2017\)](#) also recommends Neighborhood Mixed-Use (NMU) development for the roughly 200-foot strip to the east of Waldorf Boulevard, same as described above. It recommends Housing Mix 4 for the residual of the subject site.

Zoning Summary: The property is zoned Planned Development (PD).

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plan.	As per submitted plan.
Lot Width	As per approved plan.	As per submitted plan.
Front Yard Setback	As per approved plan.	As per submitted plan.
Side Yard Setback	As per approved plan.	As per submitted plan.
Rear Yard Setback	As per approved plan.	As per submitted plan.
Usable Open Space	As per approved plan.	As per submitted plan.
Maximum Lot Coverage	As per approved plan.	As per submitted plan.
Floor Area Ratio	As per approved plan.	As per submitted plan.
Building Height	As per approved plan.	As per submitted plan.

Site Design	Required	Proposed
Number Parking Stalls	As per approved plan.	274 structured 98 surface (372 total)
Accessible Stalls	Yes	Yes
Loading	As per approved plan.	As per submitted plan.

Number Bike Parking Stalls	Multi-family dwelling: 1 per unit up to 2-bedrooms, ½ space per add'l bedroom (282) 1 guest space per 10 units (28) (310 total)	343 structured 32 surface (375 total) <i>(See Comment #51)</i>
Landscaping and Screening	Yes	Yes <i>(See Comments #52, #53, #54, & #55)</i>
Lighting	Yes	Yes
Building Forms	As per approved plan.	As per submitted plan.

Other Critical Zoning Items	Urban Design (Planned Development (PD)); Utility Easements; Barrier Free (ILHR 69)
------------------------------------	--

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: This property is served by a full range of urban services. Regarding Metro Transit, it operates limited commuter transit service along Waldorf Boulevard between Mid Town Road and Starr Grass Drive. Bus stop ID #8597 is on the east side of Waldorf Boulevard, north of Mid Town Road. The proposed development is outside Metro Transit's paratransit service area, and the units would be greater than the ¼-mile regulatory distance from all day service for passengers who might be eligible for door-to-door paratransit service.

Previous Approvals

In September 1999, the Common Council approved a request to rezone approximately 79.1 acres located a quarter-mile west of CTH M on the north side of Midtown Road from Temporary A (Agriculture District) to PUD-GDP for the initial general development plan for the Midtown Commons “traditional neighborhood development.” The PUD-GDP was amended on September 5, 2000 in conjunction with a preliminary plat for the development. The overall development concept calls for up to 708 dwelling units to be provided in a mix of residential and mixed-use buildings, with a commercial core identified along Midtown Road.

On December 5, 2000, the Common Council approved the final plat of Midtown Commons creating 64 lots for approximately 58 single and two-family units and 283 multi-family units, though actual unit counts in the development have varied by individual specific implementation plans. The plat was recorded on June 6, 2001.

On July 20, 2004, the Common Council approved the final plat of Second Addition to Midtown Commons creating five lots for mixed- and flex-use development and multi-family development, two lots for park and open space and civic uses, and one outlot for stormwater detention. The plat was recorded on June 9, 2005.

At its April 17, 2007 meeting, the Common Council conditionally approved a request to rezone 6.6 acres located at 8102 Midtown Road, including the subject properties, from Planned Unit Development, General Development Plan (PUD-GDP) to Amended PUD-GDP, and also approved a preliminary and final plat for the "Midtown Center" subdivision creating seven lots for future mixed-use development and one outlot for private stormwater management.

This current proposal was reviewed by the Urban Design Commission, which received an informational presentation on December 11, 2019, and recommended final approval at their March 11, 2020 meeting.

Project Description

The applicant is requesting two Planned Development zoning map amendments to modify the General Development Plan (GDP) and create a Specific Implementation Plan (SIP) to allow construction of three multi-family apartment buildings at 8110-8134 Mid-Town Road, 1833-1859 Waldorf Boulevard, 8137 Mayo Drive, and 1902 Carns Drive.

Summary of Proposed Development

The applicant is proposing three entirely residential, “L”-shaped buildings on the vacant portions of the Midtown Center block. Building “A” will be located at the northwest corner of the site. Buildings “B” and “C” will be located to the south of the private drive which are shared by all the buildings on the block. All three will range from 4-5 or 4-6 stories, depending on the grade. (For additional information, please see General Development Plan (GDP) Modification #3 in the following section). Please see the table below for the breakdown of units and parking by type and building.

Table 1: Breakdown of Units and Parking by Type and Building

	Building A	Building B	Building C	Total
Studio	15	23	33	71
One Bedroom	28	49	55	132
Two Bedroom	15	20	26	61
Three Bedroom	4	4	4	12
Total Units per Bldg.	62	96	118	276
Structured Parking	42	102	130	274
Surface Parking	19	42	37	98
Long Term Bike	83	104	156	343
Guest Bike	8	10	14	32

Regarding underbuilding parking, the three will have a total of 274 stalls. Building “A” will have a single tray with 42 stalls, which will be accessed from the south. The underbuilding parking ramp for Building “B” (with 102 stalls) and the lower tray of Building “C” (with roughly 90 stalls) will share a single access point from Mid Town Road. There are 98 surface parking stalls that are proposed to occupy much of the remainder of the interior of the block – 19 adjacent to Building “A”, 37 adjacent to Building “C” and the remaining 42 stalls adjacent to Buildings “B” and “C.” It is below this tray of 42 stalls where the applicant proposes to locate 280-foot long by 60-foot wide system of tanks to address storm water runoff.

As for site amenities, there will be a pool and deck, located on the interior (northern) side of Building “B” and a rooftop lounge and balcony will be located atop Building “B”. These will be shared by residents in all three of the proposed buildings.

Regarding cladding materials, the applicant is proposing a primary palette of beige-colored brick and white fiber cement panels. The one exception being the grey-colored composite panels which will clad the rooftop lounge atop Building “B.” While concrete will be used for the buildings’ lower parking levels, where these levels are exposed on the exterior due to the drops in grade, a form liner will be used to give the concrete texture. The windows of the residential units will be fiberglass/composite while the floor-to-ceiling stormfront windows, used on portions of the lower residential floors, will be aluminum. Black metal will be used for the window and door trim, parapet caps, and canopies. Many of the units will have private balconies with glass railings.

Summary of General Development Plan (GDP) Modifications

There are four primary modifications proposed to the General Development Plan (GDP):

1. *Construction of three instead of five buildings on the subject parcels*
2. *Removal of Requirement of Ground Floor Commercial on Lots 1, 4, 5, 6 and 7 of the subject property*
3. *Increase in the building height limits on the subject parcels from four to six stories.*
4. *Increase in the number of residential units on the subject property.*

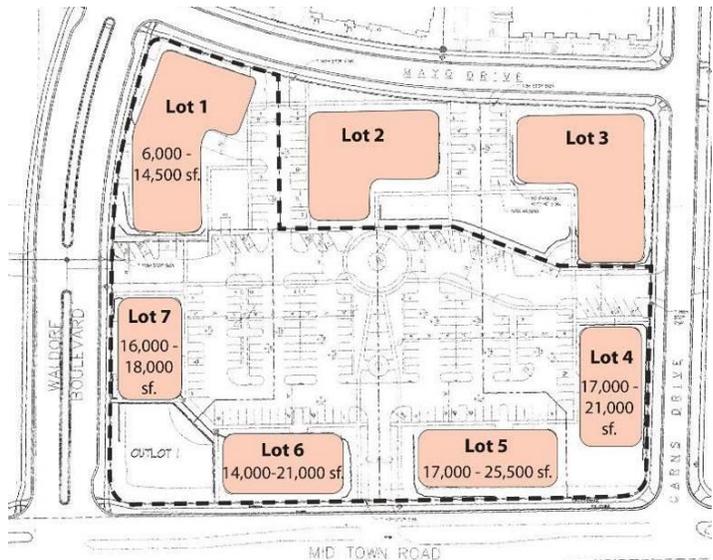
1. *Construction of three instead of five buildings on the subject parcels*

The subject property is made up of five lots (Midtown Center Lots 1, 4, 5, 6 and 7 (and Outlot 1)). The 2007 Midtown Center GDP proposed a building on each of these lots (five total), with footprints ranging from roughly 7000 to 8,500 square-feet on the four southern parcels and 17,000 square-feet on Lot 1, at the northwest corner. The applicant, however is proposing three buildings, with footprints ranging from 17,000 square-feet on Lot 1 to two roughly 30,000-square-foot buildings at the south of the property. Note: the greatly enlarged footprints of the two southern buildings cross underlying platted lot lines, which will require a Certified Survey Map (CSM) to be submitted, approved by the City, and recorded prior to the issuance of any permits for the project.

2. *Removal of Requirement of Ground Floor Commercial on Lots 1, 4, 5, 6 and 7 of the subject property*

The 2007 Midtown Center GDP envisioned Lots 1, 4, and 7 (i.e. the lots fronting onto Waldorf Boulevard to the west and Carns Drive to the east) to be mixed-use (residential over commercial) and Lots 5 and 6 (fronting onto Mid Town Road) to be solely commercial. It recommended roughly 70,000-100,000 square-feet of commercial space across the five parcels. (See Image 1 to the right) Staff note that the 2000 Midtown Commons GDP classified the subject parcels as “Mixed-Use (Type V)” use (sub district). It also indicated that this stretch of Waldorf Boulevard was considered “Main Street Commercial” for which the GDP’s Zoning Text required commercial uses to occupy [at least some part of] the ground floor of buildings.

Image 1: Commercial Square-Footage Allocations of the 2007 Midtown Center GDP



The applicant is proposing to not provide any commercial space in any of the three buildings, due to both the site constraints (due to the considerable amount of slope running north-to-south across the site), as well as the perceived lack of market viability of commercial uses at this location.

3. Increase in the building height limits on the subject parcels from four to six stories.

Regarding building height for the subject lots, the Midtown Center GDP states “Building height is limited to no more than four stories for sites 1, 2, and 3 and no more than three stories for sites 4, 5, 6, and 7 and as shown on the approved SIP plans. Each building is no less than two stories.” (Please see Image 2 below – on the left is the GDP’s recommendations, on the right is what is proposed). While the proposed buildings have at least one four-story façade (generally the northern façade), with the changes in grade, they become five-story buildings (in the case of Buildings “A” and “B”) or a six-story building (Building “C”).

Image 2: (left) The seven buildings approved in the 2007 Midtown Center GDP (five are located on the subject property, which is outlined); (right) the three proposed buildings



4. Increase in the number of residential units on the subject property.

The underlying GDP recommended a total of 156-186 units in five buildings proposed on the subject site. The applicant is proposing 276. Below is a master comparison of what is proposed in the GDP versus what is currently being proposed by the applicants.

Table 2: Comparison of development envisioned by the 2007 Midtown Center GDP versus that proposed by the applicant

Proposed Building	Corresponding Midtown Center GDP Lot	Corresponding Address(es)	Lot Sq. Ft.		Units	Commercial Sq. Ft.	Under Pkg	Surface Pkg	Stories
Building "A"	Lot 1	8137 Mayo Drive	35,655	GDP	46-52	6,000 - 14,500	40	9	4 (max)
				Proposed	62	0	42	19	4-5
Building "B"	Lot 7	1833 Waldorf Boulevard	34,275	GDP	10-12	16,000 - 18,000	15	37	2-3 (3 max)
	Outlot 1	1859 Waldorf Boulevard	11,978		0	0	0	0	0
	Lot 6	8134 Mid Town Road	44,570		0	14,000 - 21,000	21	50	2-3 (3 max)
				Proposed	96	0	102	42	4-5
Building "C"	Lot 5	8110 Mid Town Road	46,637	GDP	0	17,000 - 25,500	26	50	2-3 (3 max)
	Lot 4	1902 Carns Drive	38,761		12-14	17,000 - 21,000	18	33	2-3 (3 max)
					Proposed	118	0	130	37

TOTALS	GDP	156-186	70,000 - 100,000	120	179
	Proposed	276	0	274	98
	Difference	+90 to +120	-70,000 to -100,000	+154	-81

Analysis and Conclusion

This request is subject to the Zoning Map Amendment [Section 28.182(6)] and Planned Development standards [Section 28.098(2)] of the Zoning Code. The analysis below begins with a summary of the adopted plan recommendations as the specific approval standards reference these documents.

Conformance with Adopted Plans

The [2018 Comprehensive Plan](#) recommends Neighborhood Mixed-Use (NMU) development for the roughly 200-foot strip of the subject site which runs along the eastern side of Waldorf Boulevard and recommends Medium Residential development for the remainder, to the east. (See the Image 3 to the right; the border of the subject site is outlined.)

Image 3: Comprehensive Plan Recommendation



The [Comprehensive Plan](#) states that NMU development should be compact and walkable and include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. Buildings in NMU areas are generally recommended to be two to four stories in height, oriented towards streets, and located close to public sidewalks. For density, the Plan recommends 70 or less dwelling units per acre.

For Medium Residential (MR) development, the Plan notes that it *“may include a variety of relatively intense housing types, including rowhouses, small multi-family buildings, and large multi-family buildings”* two to five stories in height and at a density of 20-90 dwelling units per acre.

The [High Point - Raymond Neighborhood Development Plan \(2017\)](#) also recommends Neighborhood Mixed-Use (NMU) development for the roughly 200-foot strip to the east of Waldorf Boulevard. It recommends Housing Mix 4 for the residual of the subject site.

For Neighborhood Mixed-Use development, the High Point NDP recommends mixed-use development with neighborhood-oriented commercial uses. It particularly encourages residential uses above ground floor storefronts, at appropriate locations. The Plan also states that exclusive residential buildings are *“allowable in less prominent locations such as on local street frontages or within interior courtyards, for example.”* It recommends buildings up to a height of four stories, but notes that but larger buildings *“may be appropriate in very select locations. Development densities and intensities will need to be carefully considered in order to achieve a development pattern that successfully blends residential and non-residential uses.”* Regarding density, the Plan states: *“While this district will likely have higher density buildings found typically in Housing Mix 4 (see description below), it is likely the overall district density will be lower due to the presence of commercial uses. As a result, a net density of 30 units per acre is being used to estimate the number of dwellings in this district. This number could vary based on detailed planning for the area.”* Lastly, the Plan notes that high quality architectural and urban design *“is a critical component of mixed-use development. Designs must be pedestrian oriented and integrated in to the neighborhood, rather than dominated by large setbacks...”*

The NDP notes that Housing Mix 4 is primarily located near larger mixed-use development nodes, typically includes multi-unit apartment buildings (which should include a mix of unit sizes, including larger two and three bedroom units suitable for families with children), and limits buildings to four stories in height. It also notes that buildings

“may include front plazas or be grouped around central courtyards to create defined space.” For density, it states that *“individual developments near or at the 50 dwelling unit per acre density are recommended only as part of well-designed projects that are coordinated with the development of mixed-use areas.”*

Staff raise the following considerations related to inconsistency with adopted plans:

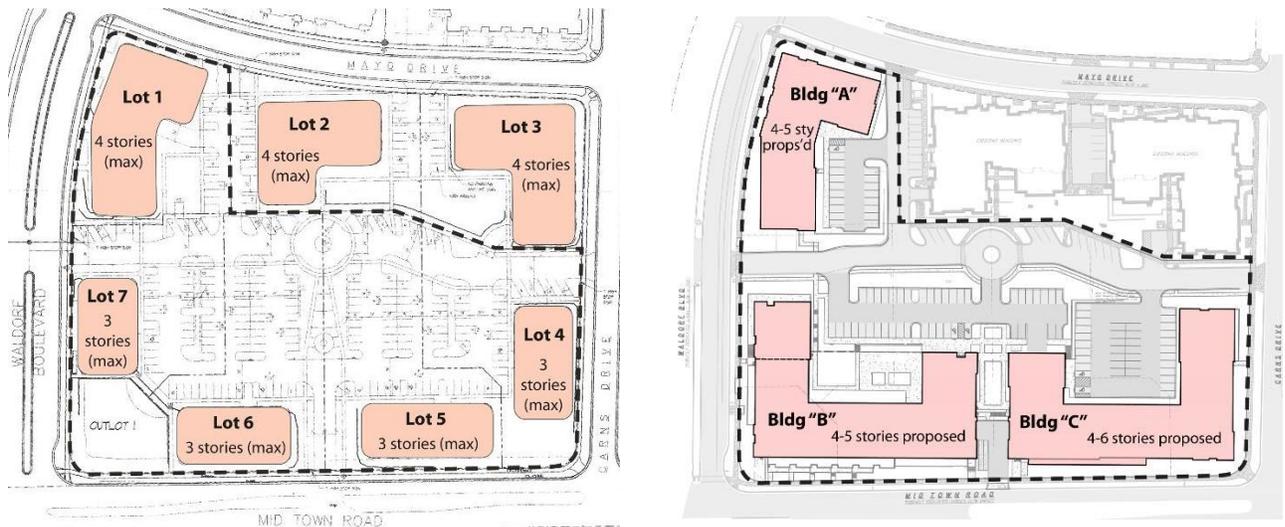
1. *The removal of commercial uses along Waldorf Boulevard*

While this proposal was originally submitted with a commercial component, the applicant revised the proposal to remove a commercial space along Waldorf Boulevard. As noted above, while the High Point Neighborhood Development Plan does not strictly recommend against stand-alone residential buildings, it states that they are *“allowable in less prominent locations such as on local street frontages or within interior courtyards, for example.”* While residential-only buildings on the eastern half of the site is consistent with this plan recommendation, the Planning Division does not believe the request to remove commercial spaces along Waldorf, as approved in the current GDP, is consistent with the plan.

2. *Height above Four Stories and Resulting Design Concerns*

Whereas the Comprehensive Plan and High Point NDP both recommend buildings to four stories (with an exception in the case of the NDP, which allows larger buildings *“in very select locations”*), the applicant is proposing three buildings that range from four to six stories. (See Image 4, below)

Image 4: (left) The seven buildings proposed in the 2007 Midtown Center GDP (five are located on the subject property, which is outlined); (right) the three proposed buildings



While staff recognize that there are challenges to properly siting buildings on a site with roughly 39 feet of grade change, Staff believe that grade was one of the considerations as why the 2007 GDP proposed four smaller-footprint buildings on the southern half of the site, as smaller-footprint buildings result in less exposure of lower levels. The larger buildings, as proposed, result in some sizable expanses of blank façade. This is most notable along Waldorf Boulevard. (See Image 5 on the following page for an example.) Staff are particularly concerned with the resulting amount of blank façade located at the pedestrian level.

Image 5: The blank façade area along the base of the western façade of Building “B”



Regarding building heights, Staff note that the other two buildings on the block, located on Midtown Center Lots 2 and 3, stepped down along the way to maintain the four-story height. (See Image 6, below). In comparison, the proposed development exceeds four and five stories as shown on the submitted plans.

Image 6: The east elevation of the residential building located on Midtown Center Lot 3 (8101 Mayo Drive), stepping down with the change in grade



Zoning Map Amendment Standards

These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. 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 "furtheres or does not contradict the objectives, goals and policies contained in the comprehensive plan." As described above, the proposal is consistent with some, but not all adopted plan recommendations. In regards to this "Consistency Requirement", staff notes that a smaller development proposal (on the opposite side of Waldorf Boulevard) was approved in 2019, and included a request to remove the commercial component as part of the zoning amendment, and was found to meet this requirement.

Planned Development Standards

Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. Specific design objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans. See Zoning Code Section 28.098(1) for further information. The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. In summary, Staff have concerns regarding whether or not the standards of 28.098(2) can be found met and provide additional discussion on the following standards.

Standard (a) states, in part, that, the applicant shall demonstrate that *“No other base zoning district can be used to achieve a substantially similar pattern of development. Planned developments shall not be allowed simply for the purpose of increasing overall density or allowing development that otherwise could not be approved unless the development also meets one or more of the PD objectives”* of Section 28.098(1). As this request is already part of a larger multi-property PD-GDP, the Planning Division believes it is appropriate to maintain PD zoning.

Staff’s primary question with this proposal is whether PD Standard (b) can be met. This standard states that the *“Planned Development district plan shall facilitate the development or redevelopment goals of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.”* As discussed above, the Planning Division notes that while the project is generally consistent with the recommended density, the proposal exceeds the general four-story height limit in some locations and lacks any commercial component in any area recommended for neighborhood mixed-use development.

Standard (e) states that the *“Planned Development district plan shall coordinate architectural styles and building forms to achieve greater compatibility with surrounding land uses and create an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and the statement of purpose of the PD District.”* As noted above, Staff have raised several concerns, including the height and massing, and the large areas of blank façade, especially on Waldorf Boulevard. Staff note that the Urban Design Commission (UDC) reviewed this request on an informational basis at their December 11, 2019 meeting. At their March 11, 2020 meeting, they gave the project final approval with the following conditions:

- preference for screen over vertical planting, more substantial expanse and system
- provide green wall screen on Waldorf and in separation area between upper/lower campus
- provide more detail on mesh screen wall system and the plantings,
- provide updated landscaping plan
- consider multiple options for flowering vines, such as clematis, climbing hydrangea, and others

Standard (f) states that *“the PD District plan shall include open space suitable to the type and character of development proposed, including for projects with residential components, a mix of structured and natural spaces for use by residents and visitors. Areas for stormwater management, parking, or in the public right of way shall not be used to satisfy this requirement.”* The existing Midtown Center GDP zoning text does not explicitly establish a minimum amount of required usable open space per unit that must be provided. According to the drawings submitted by the applicant, their proposed development is providing roughly 42,000 square-feet of usable open space via the various common patios, private balconies, outdoor amenity areas and additional lawn area. This works out to roughly 152 square-feet of usable open space per unit on site. As a comparison, staff estimate that if this were this a traditional zoning district like Neighborhood Mixed-Use (NMU), a development would be required to provide approximately 49,270 square-feet of usable open space. The Plan Commission should give careful consideration to suitability and quality of the various open spaces as it relates to this standard.

Public Input

At the time of report writing, no public comments have been received regarding the proposed development.

Conclusion

The applicant is requesting two Planned Development zoning map amendments - to modify the General Development Plan (GDP) and create a Specific Implementation Plan (SIP) - to allow construction of three multi-family apartment buildings at 8110-8134 Mid-Town Road, 1833-1859 Waldorf Boulevard, 8137 Mayo Drive, and 1902 Carns Drive.

This application includes several key modifications to the existing General Development Plan (GDP). These include: 1) Construction of three instead of five buildings on the subject parcels; 2) Removal of requirement of ground floor commercial development; 3) Increase in the building height limits on the subject parcels from four to six stories; and 4) Increase in the number of dwelling units from 186 to 276 dwelling units.

Staff's primary concern relates to plan consistency and whether Planned Development Standard 2B, regarding facilitating the development goals of adopted plans, is met. While the overall density is consistent with the adopted land use plan recommendations for density, staff believes that the lack of proposed commercial spaces along Waldorf Boulevard, from a land use perspective, represents an important policy discussion. Over the years, several approvals have reduced the amount of commercial development in this corridor, which was originally intended to be a neighborhood-serving Main Street. In comparison, staff believes that the applicant's original proposal, which included a commercial component, to be more consistent with the adopted plans' neighborhood mixed-use recommendations.

Other plan consistency questions relate to the proposed building heights given that they are up to six stories in certain areas, exceeding the four and five-story heights recommended in the neighborhood and Comprehensive Plan, respectively. Staff have also noted concerns on Standard 2e, especially as it relates to resulting blank walls along Waldorf Boulevard.

Staff notes that the UDC made an advisory recommendation of final approval, subject to the listed conditions.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

This proposal is consistent with some, but not all recommendations in adopted plans. If the Plan Commission finds that the proposal meets the approval standards, it should forward Zoning Map Amendment ID 28.022-00429 approving an Amended Planned Development - General Development Plan (Amended PD-GDP), and Zoning Map Amendment ID Section 28.022-00430 approving a Planned Development - Specific Implementation Plan (PD-SIP) for 8110-8134 Mid-Town Road, 1833-1859 Waldorf Boulevard, 8137 Mayo Drive, and 1902 Carns Drive to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing and conditions recommended by reviewing agencies.

In the alternative, should the Plan Commission not find that the proposal meets the applicable standards, including Planned Developments Standard [28.098(2)(b)], the Plan Commission should recommend that these items be placed on file. The Commission should provide findings of fact, listing the standards that have not been met and the reasons such standards were not met as part of their recommendation to the Common Council.

Major/Non-Standard Conditions are Shaded

Urban Design Commission (Contact Janine Glaeser, (608) 267-8740)

1. Preference for screen over vertical planting, more substantial expanse and system
2. Provide green wall screen on Waldorf and in separation area between upper/lower campus
3. Provide more detail on mesh screen wall system and the plantings
4. Provide updated landscaping plan
5. Consider multiple options for flowering vines, such as clematis, climbing hydrangea, and others

Engineering Division (Main Office) (Contact Timothy Troester, (608) 267-1995)

6. The City may have downstream sewer capacity constraints. Applicant shall provide projected wastewater flow calculations for the proposed development as a condition of approval.
7. The plat notes that there is bedrock present. Provide details on how this will be mitigated with construction.
8. This development is in the Upper Badger Mill Creek Watershed Storm and Sanitary Impact Fee District - payment will be required before plan sign off.
9. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, surety to guarantee the construction of the improvements and a deposit to cover estimated City expenses will be required.
10. Make improvements to Mid Town Road as required by City Traffic Engineer in order to facilitate ingress and egress to the development.
11. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
12. Obtain a permit to plug each existing storm sewer that is not required for the development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))
13. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
14. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.

15. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
16. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>.
17. Revise the site plan 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. (POLICY)
18. Revise plan to show the location of all roof drain discharge locations.
19. Provide additional detail on the underground parking and how any enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 100-yr design storm that is current in Madison General Ordinance Chapter 37. If the enclosed depression(s) is/are to be served by a gravity system provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system provide pump sizing calculations stamped by a Wisconsin P.E. or licensed Plumber that show this requirement has been met.
20. The applicant shall show storm water "overflow" paths that will safely route runoff during the 100-year 24-hour design storm when the storm sewer is at capacity. (POLICY)
21. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
22. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

23. This proposed change will trigger a new subdivision and will require updates to the stormwater management plan. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

24. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.

25. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Engineering Division (Mapping) (Contact Lori Zenchenko, (608) 266-5952)

26. Upon conditional approval of this site, the 40' Building Setback shall be released by the City by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. If any release is required prior to recording of the required CSM, acknowledgement of the release and document number shall be noted on the face of the CSM.
27. The new proposed plans for this site, include, but are not limited to changes in private sanitary sewer, surface drainage, storm sewer, stormwater management and a new Certified Survey Map. Provide for review, comprehensive amendment to the Declaration of Easements per Doc No 4617077 or an entirely new Declaration of Easements that address reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the land division or site development as proposed prior to final sign off. The document(s) shall be executed and recorded immediately subsequent to the required CSM recording and prior to building permit issuance.
28. The proposed new buildings cross underlying platted lot lines. Prepare a Certified Survey Map (CSM) and submit to the Planning Unit to dissolve underlying lot lines to comply with fire codes, City Ordinances and City Policies. The CSM shall be approved by the City, recorded with the Dane County Register of Deeds and new Tax Parcel information available prior to issuance of a building permit.
29. Provide the recorded Document releasing the private restriction over Outlot 1 of Midtown Center being "Reserved for Private Stormwater Management." This release shall be recorded prior to the recording of the required CSM and prior to final approval of the site plan.
30. Provide the recorded Document releasing the private 20' Wide Private Sanitary Sewer Easement over Lots 5 and 6 of Midtown Center. This release shall be recorded prior to the recording of the required CSM and prior to final approval of the site plan.
31. The large deciduous trees planned within the Public Utility Easements along the westerly, southerly and easterly sides of this site shall be removed from the easement areas.
32. Submit a Floor Plan for each separate building in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete building and interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the submittal of the final Site Plan Approval application with Zoning. The approved Addressing Plan shall be included in the final application.

For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

33. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
34. The applicant shall be responsible for securing Right In/Right Out access on Mid Town Road by constructing a median.
35. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
36. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
37. The City Traffic Engineer may require public signing and marking related to the development; the Developer
38. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
39. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
40. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
41. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
42. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
43. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

44. City of Madison radio systems are microwave directional line of sight to remote towers citywide. The building elevation will need to be reviewed by Traffic Engineering to accommodate the microwave sight and building. The applicant shall submit grade and elevations plans if the building exceeds three stories prior to sign-off to be reviewed and approved by Austin Scheib, (266-4768) (ascheib@cityofmadison.com) 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.
45. All parking ramps as the approach the public Right-of-Way shall not have a slope to exceed 5% for 20 feet; this is to ensure drivers have adequate vision of the Right-of-Way. If applicant believes public safety can be maintained they shall apply for a waiver, approval or denial of the waiver shall be the determination of the City Traffic Engineer.
46. The driveway slope to the underground parking is not identified in the plan set, Traffic Engineering recommends driveway slope under 10%; if the slope is to exceed 10%, the applicant shall demonstrate inclement weather mitigation techniques to provide safe ingress/egress to be approved by the City Traffic Engineer.
47. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
48. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on Mid Town Road will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

49. Work with Zoning and Planning staff for final approval of the Zoning text.
50. Bicycle parking for the multi-family dwellings shall comply with MGO Sections 28.141(4)(g) Table 28I-3 and 28.141(11) and shall be designated as short-term or long-term bicycle parking. A minimum of 282 resident bicycle stalls are required plus a minimum of 28 short-term guest stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Provide details of the bicycle rooms in the three buildings, including the number of stalls and dimensions of the stalls and access aisles. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed including any structured, vertical or wall mount racks.
51. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

52. Provide adequate development frontage landscaping and foundation plantings adjacent Building C per MGO Section 28.142(5) *Development Frontage Landscaping* and Section 28.142(7) *Foundation Plantings*. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Note that landscaping must be installed on the private property.
53. Provide adequate interior parking lot landscaping per Section 28.142(6) within the east parking lot adjacent Building C. For new development on sites previously undeveloped or where all improvements have been removed, a minimum of eight percent (8%) of the asphalt or concrete area of the parking lot shall be devoted to interior planting islands, peninsulas, or landscaped strips. A planting island shall be located at least every twelve (12) contiguous stalls with no break or alternatively, landscaped strips at least seven (7) feet wide between parking bays.
54. Provide details of the Building B rooftop court yard and rooftop patio.
55. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
56. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

57. MFD is not opposed to the project with the expectation that the building will comply with all building & fire codes including the IFC & MGO. Adjustments to the property lines and fire access lanes are necessary but not insurmountable.

Parks/Forestry Review (Contact Sarah Lerner, (608) 261-4281)

58. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 20003 when contacting Parks about this project.

Forestry Division (Contact Brad Hofmann, (608) 267-4908)

59. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

60. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.
61. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

62. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the east side of Waldorf Boulevard, north of Mid Town Road (#8597).
63. As identified on the plans submitted for review, the applicant shall install and maintain a concrete shelter pad surface - as part of the private landscape plan - opposite the existing Metro bus stop zone that is on the east side of Waldorf Boulevard, north of Mid Town Road (#8597). The applicant shall install and maintain a new passenger waiting shelter with seating amenity in this area, as part of the private landscape plan.
64. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
65. Metro Transit operates limited commuter transit service along Waldorf Boulevard between Mid Town Road and Starr Grass Drive. Bus stop ID #8597 is on the east side of Waldorf Boulevard, north of Mid Town Road. The proposed development is outside Metro Transit's paratransit service area, and the units would be greater than the ¼-mile regulatory distance from all day service for passengers who might be eligible for door-to-door paratransit service.