

PLANNING DIVISION STAFF REPORT

November 20, 2017



PREPARED FOR THE PLAN COMMISSION

Project Address: 36 S. Brooks (District 13 – Ald. Eskrich)
Application Type: Planned Development Zoning Map Amendment
Legistar File ID # [48452](#) & [49222](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Kevin Snitchler; Unity Point Health – Meriter; 202 S. Park St.; Madison, WI 53715

Contact: James Moravec; Potter Lawson Inc.; 749 University Row Suite 300; Madison, WI 53705

Requested Action: The applicant requests approval to amend a Planned Development - General Development Plan (PD-GDP), as well as approval of an Amended Planned Development - Specific Implementation Plan (PD-SIP) to construct an emergency generator facility for a hospital campus at 36 S. Brooks Street.

Proposal Summary: The applicant proposes to amend the Meriter Hospital Campus GDP and SIP in order to build an emergency generator facility at 36 S. Brooks Street.

Applicable Regulations & Standards: This request is subject to the approval standards for Planned Developments (Section 28.098 MGO).

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

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022 - 00306 approving the amendment of a Planned Development - General Development Plan, and forward Zoning Map Amendment ID Section 28.022 - 00307 approving an Amended Planned Development District to approve a Planned Development - Specific Implementation Plan for 36 S. Brooks 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.

Background Information

Parcel Location: The roughly 0.92 acre site is located at 36 S. Brooks Street, abutting Milton Street to the south. It falls within Aldermanic District 13 (Ald. Eskrich) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The site is developed with a two-story 15,297-square-foot Meriter Hospital medical lab building and adjoining parking lot, zoned Planned Development (PD).

Surrounding Land Uses:

North: Dean Health System medical building, zoned Campus Institutional (CI), with Regent Street shops and businesses, zoned Traditional Shopping Street (TSS) beyond;

South: Apartment complex zoned Planned Development (PD);

West: Neighborhood House Community Center, zoned CI, with medium residential housing, zoned Traditional Residential – Varied 1 (TR-V1) beyond; and

East: Unity Point Health Meriter Hospital campus zoned CI and PD, with Park Street beyond.

Adopted Land Use Plans: The [Comprehensive Plan \(2006\)](#) and the [Greenbush Neighborhood Plan \(2008\)](#) recommend employment uses for the subject site.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plans.	As per submitted plans.
Lot Width	As per approved plans.	As per submitted plans.
Front Yard Setback	As per approved plans.	As per submitted plans.
Side Yard Setback	As per approved plans.	As per submitted plans.
Rear Yard Setback	As per approved plans.	As per submitted plans.
Usable Open Space	As per approved plans.	As per submitted plans.
Maximum Lot Coverage	As per approved plans.	As per submitted plans.
Floor Area Ratio	As per approved plans.	As per submitted plans.
Building Height	As per approved plans.	As per submitted plans.
Number Parking Stalls	Not required	13
Accessible Stalls	Yes	2
Loading	Not required	Existing loading dock
Number Bike Parking Stalls	Not required	None
Landscaping and Screening	Yes	Yes (21)
Lighting	Yes	No (22)
Building Forms	Not required	As per submitted plans.
Other Critical Zoning Items	Urban Design (Planned Development); Barrier Free (ILHR 69), Utility Easements	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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

Public Utilities and Services: The site is served by a full range of urban services, including Metro bus lines along Park, Mills, and Regent Street.

Previous Approvals

The original Meriter GDP was adopted by the Common Council, per Plan Commission's recommendation, in 2009. The GDP encompassed approximately 13.2 acres generally bounded by Milton Street on the north, S. Mills Street on the west, Chandler Street on the south and S. Park Street on the east, but also including one site north of Milton Street (where the proposed generator facility would be located) and another site located on the east side of S. Park Street.

Project Description

The applicant is proposing a new electrical services facility for the Unity Point Meriter Hospital Campus. As it stands currently, the Meriter hospital campus depends on two generators for emergency power. The applicant's materials note that the generators are nearing the end of their dependability, and their generation capacity is nearly at its maximum safe limit. According to the Letter of Intent, this new facility would be designed to meet the emergency generation requirements for the next decade and have the adequate expansion capacity to meet the expected needs for the foreseeable future. The proposed building would be 8,200 square-feet and support up to three emergency diesel generators and associated electrical switch gear. The generator would run once a month during a mandated routine test at approximately 6:00 am, as well as any period of time that backup power to the hospital campus is required. According to the applicant, the noise during these periods would not exceed the 65db Madison limit at the property boundary. Construction is anticipated to begin in early 2018, with initial generator installation complete and operational by December 2018.

The emergency generator facility would primarily consist of brick and precast concrete materials, with additional "green wall" features on the west and north elevations. These elevations would be the most visible to the public, and therefore Staff requested the application provide architectural features that better articulate and transition the proposed building. The proposal includes a screened trash enclosure, which would abut the existing parking lot. The project also includes a switchgear clear area on the southwest corner of the site. Given site constraints, this project would require the removal of four trees on the western portion of the property.

There are two zoning map amendments being requested: 1) an amendment of a Planned Development - General Development Plan (PD-GDP); and 2) approval of an amended Planned Development - Specific Implementation Plan (PD-SIP) for the proposed emergency generator facility. This application requires zoning map amendments because the proposed emergency generator was not featured or detailed on this specific parcel when the initial GDP was approved. The process and applicable standards for these amendments are detailed in the analysis section below.

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 Planning Division believes the request is consistent with adopted plan recommendations. Both the [Comprehensive Plan \(2006\)](#) and the [Greenbush Neighborhood Plan \(2008\)](#) recommend employment uses for the subject site. The proposed electrical services facility to serve the existing Meriter Hospital Campus is believed to be consistent with this recommendation.

Zoning Map Amendment Standards

Staff believes the Zoning Map Amendment standards are met. 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 \(2006\)](#), 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 \(2006\)](#). 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan."

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.

As noted above, the General Development Plan was approved by the Common Council in 2009. This request is considered a major amendment to the underlying General Development Plan and as such, the Planned Development standards must be applied to this zoning map amendment request. Furthermore, as stated in MGO Sec. 28.098(5)(c)7, *"In considering extensions of approved General Development Plans for unconstructed components/ phases, the Plan Commission shall consider changes in the surrounding area or neighborhood since approval of the General Development Plan that would render the project incompatible with current conditions."*

Staff does not have concerns related to the appropriateness of the proposed development in its current context. The specific approval standards for Planned Developments are provided in Section 28.098(2) of the Zoning Code. In summary, staff believes these standards are met.

The Planning Division believes the following standard is met and staff provides the following additional analysis.

Standard (e) states that *"The PD 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."* The applicant has also made several changes to the plans to address concerns raised throughout the review process including adding additional fenestration to the façades of the south and west elevations. Given these considerations, Staff believes that this Standard is met.

Over the course of this rezoning application process, the applicant has proposed three different design iterations to the Urban Design Commission (UDC) and City Staff, and the final proposal has been included for Plan Commission approval. Upon initial review of the first concept design, the UDC noted concerns that the proposed facility was too similar to the adjacent medical lab building. Since that informational presentation on September 6, 2017 and further discussion with City Staff, the applicant has provided a final concept that incorporates green screening and other materials to better articulate the new facility. At its November 8, 2017 meeting, the UDC recommended final approval of this concept to Plan Commission.

Public Input

At the time of report writing, staff has not received any comments on the proposed request.

Conclusion

The applicant requests approval of two zoning map amendments: 1) an amendment of a Planned Development - General Development Plan (PD-GDP); and 2) approval of an amended Planned Development – Specific Implementation Plan (PD-SIP) to construct an emergency generator facility at 36 S. Brooks Street.

The Planning Division believes that the standards for Zoning Map Amendments and Planned Developments can be met with this proposal. From a land use standpoint, this development is consistent with both the [Comprehensive Plan](#) and the [Greenbush Neighborhood Plan](#)'s recommendations for employment uses. The Planning Division further believes the proposed site design is consistent with the surrounding development pattern. From a design standpoint, the applicant has made several improvements to the building fenestrations based on Staff feedback in addition to being granted final approval from the Urban Design Commission on November 7, 2017.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022 - 00306 approving the amendment of a Planned Development - General Development Plan, and forward Zoning Map Amendment ID Section 28.022 - 00307 approving an Amended Planned Development District to approve a Planned Development - Specific Implementation Plan for 36 S Brooks Street 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.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

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

1. All outstanding 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. (MGO16.23(9)(d)(4))
2. 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. (POLICY)
3. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
 - a) Building Footprints

- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or tstroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

4. The applicant shall 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 tstroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))
PDF submittals shall contain the following information:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Stormwater Management Facilities
 - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
5. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files
 - b) RECARGA files
 - c) TR-55/HYDROCAD/Etc
 - d) Sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided. (POLICY and MGO 37.09(2))
6. 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 5.0 tons per acre per year.

7. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
8. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
9. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
10. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
11. All damage to the pavement on Milton St, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

Engineering Division (Mapping) (Contact Jeffrey Quamme, 266-4097)

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| 12. The address of the new generator plant is 1016 Milton St. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records. |
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13. This plant is replacing existing electrical generation plants on the Meriter site. Preliminary plans indicated the future installation of duct banks crossing Brooks Street. Applicant shall be aware any future private duct bank within a public right of way will require a privilege in streets agreement with the City of Madison.
 14. Note: Real Estate Project 3762 for the skywalk attached to this parcel and lying above Brooks Street has been restarted and is to be completed and recorded to document the improvements.

Traffic Engineering (Contact Sean Malloy, 266-5987)

15. 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;

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.

16. 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.
17. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
18. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
19. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed with a "No Parking Anytime." Alternatively, if this lot is intended for employees only, the lot should be signed accordingly and noted on the plan.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

20. Submit a complete site plan of the entire site showing the existing building and identifying existing site features such as the loading dock, walkways, entry features, overhead bridge and bicycle parking.
21. 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. Identify and label all proposed landscaping and existing landscaping to remain adjacent the existing building.
22. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
23. 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.

Fire Department (Contact Bill Sullivan, 261-9658)

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

Parks/Forestry Review (Contact Janet Schmidt, 261-9688)

25. City Forestry will issue a removal permit for two Ash trees (14" diameter 2nd tree on Milton St as a preemptive Ash removal per Forestry & 11" diameter 3rd tree on Milton St as an Ash removal request). Please contact Brad Hofmann – bhofmann@cityofmadison.com or 266-4816 to obtain the street tree removal permit.
26. Two additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction.
27. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

28. 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/plumberscontractors>), 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.

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

The agency reviewed this request and has recommended no conditions or approval.