



Report to the Urban Design and Plan Commissions

3-06-2013 (UDC)

3-18-2013 (PC)

Legistar ID # 25968 and 26487

6717-6733 Fairhaven Road

Zoning Map Amendment – Planned Unit Development

Prepared By:

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Planning Division

Requested Action: The applicant requests approval of an amended PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan) to allow the construction of a 42-unit apartment building and to remove an owner-occupancy requirement in the zoning text for an existing 16-unit building.

Applicable Regulations and Standards: This proposal was submitted under the 1966 code. As such, the proposal is subject to the approval standards for zoning map amendments (Sec 28.12) and for Planned Unit Developments (Section 28.07(6) in that code.

Review Required By: Urban Design Commission (Advisory recommendation on PUD developments, Plan Commission (advisory recommendation on the PUD Zoning Map Amendment Request), and Common Council (approval of the Zoning Map amendment request).

Summary Recommendation: If the Urban Design Commission and Plan Commission can find the applicable standards are met, the Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3613 to the Common Council with a recommendation of **approval** to rezone the subject properties from PD-GDP-SIP to amended PD-GDP-SIP to allow the construction of a 42-unit building and to remove an existing owner-occupancy restriction in the zoning text for the existing building at 6717 Fairhaven Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Applicant / Owner: Kevin Kavanaugh, Fairhaven Court, LLC; 2920 Bryant Road; Madison, WI 53713

Contact: Russ Eilers, AIA, Architectural Design Consultants, Inc. 30 Wisconsin Dells Parkway; P.O. Box 580; Lake Delton, WI 53940

Proposal: The applicant proposes to construct a 42-unit apartment building and remove an existing zoning-text restriction for an existing 16-unit building that requires owner occupancy.

Parcel Location: The 2.25 subject property includes two lots (6717 and 6733 Fairhaven Road) along the west side of the street, near its intersection with Maple Grove Road. The subject site is within Aldermanic District 7 and within the limits of the Madison Metropolitan School District.

Existing Conditions: The subject site includes an existing 16-unit building. The site also includes approvals for an additional 16-unit and 12-unit structure, though that northern portion of the subject property is undeveloped at this time.

Adopted Land Use Plan: The Comprehensive Plan recommends medium density residential development for the subject site and surrounding properties. That recommendation generally includes densities between 16-40 du/ac (dwelling units per acre). The more specific Cross Country Neighborhood Development Plan also recommends medium density residential, though specifically recommends multi-family dwellings should be developed at densities averaging about 16 du/ac.

Surrounding Land Use and Zoning:

North: Undeveloped property in the Town of Verona, zoned A-3 Agriculture District.

South: Twisted Twig (16 Units) and New Centurion (33 Units) buildings, zoned PD-GDP-SIP.

East: Four buildings with 50 total units, zoned PD-GDP-SIP; and

West: Badger Mill Creek (zoned Conservancy) with single-family residential zoned SR-C2 (Suburban-Residential-Consistent), beyond.

Environmental Corridor Status: The subject site is adjacent to, but not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services. Metro transit routes 56 and 57 can be accessed about 0.6 miles to the north at Maple Grove and East Pass.

Zoning Summary: The site is part of the “Savannah on the Park” planned development. 6717 Fairhaven Road is zoned for two 16-unit buildings, though only one is built at this time. The approved zoning text includes a restriction for owner occupancy of that building. 6733 is immediately to the north and is zoned for one 12 unit building, which is not built. As a planned development, there are no code required, pre-determined bulk requirements.

Previous Approvals and Project History

The subject site is part of the master-planned “Savannah on the Park” development. It is currently zoned PD-GDP-SIP (Planned Development-General Development Plan-Specific Implementation Plan). This PD (formerly PUD) was originally approved in 2003 and includes 127 approved units within eight buildings. There are currently six buildings constructed with a total of 99 units. The two approved, but undeveloped buildings are part of this rezoning subject site. The existing zoning approval specifically allows for the construction of 12 and 16 unit buildings. As such, the proposed development requires rezoning approval to amend the GDP and SIP.

A rezoning application was originally submitted in May 2012. Plans have since been revised. The earlier project included a 51-unit building, measuring roughly 279 feet in length along the Fairhaven Road frontage. In early June 2012, the Planning Division raised concerns over the project’s direction, noting the Planning Division’s opinion that the project was likely not meeting the approval standards for Planned Unit Developments. The applicant requested a referral to further discuss this item with staff, and no formal Commission action has been taken on the proposal since.

There have since been multiple discussions and meetings between Planning Division staff and the applicant’s team. From those discussions, the Planning Division has indicated it could support a smaller 42-unit building, provided the project is well-designed and found to meet the applicable PUD standards. Different concepts have been discussed. Based on one staff recommendation, the applicant explored creating a large courtyard-type recessed entry feature to break up the building mass. The applicant decided to not pursue that approach, based on their cost considerations and construction concerns.

In the present revised plans, the project has been reduced by nine (9) dwelling units, and the length of the building has been reduced to about 220 feet. Further discussion on the current proposal follows.

Project Description

There are two key components to this zoning alteration request. One component is to revise the existing zoning text to remove a requirement that the existing 16-unit building at 6717 Fairhaven Road be owner occupied. The second component is to construct a three-story, 42-unit apartment building immediately north of the existing building, on the undeveloped portion of 6717 and on 6733 Fairhaven Road.

The unit count for the proposed building is as follows:

	Dwelling Units	# of Bedrooms	Average Unit Size
Studio	12	12	580 sq. ft.
One-Bedroom	12	12	679 sq. ft.
Two-Bedroom	18	36	986 sq. ft.
TOTAL (New Building)	42	60	
CALCULATED DENSITY	32 units per acre ¹	26.7 bedrooms per acre ¹	

¹ Based on approximate new development site of 1.3 acres

Source: Madison Planning Division based on information provided by the architect

All units are accessed from internal hallways. The two main building entrances are located at the center of the building. One leads directly to the front sidewalk with a second entrance leading to the rear parking lot behind the building. Along the ground floor, four of the eight street-facing units are also proposed to have direct connections to the Fairhaven Road sidewalk.

The building is divided into two wings, both parallel to the street. The northern-most wing is set back roughly 12 feet from the sidewalk, with the southern wing set back approximately 20 feet. The main building entrances are located at the center of the structure. Plans show both a street-oriented front entrance and a parking lot-oriented entrance to the rear.

The building is clad in a combination of stone, brick, and horizontal vinyl siding. The stone is located along much of the base and lower floors of the building, with vinyl above. Brick is used as an accent material along the main building entrances and along select building bays. These bays are capped by small shed roofs.

There are 37 stalls of underground parking proposed beneath the building. Detailed grading information has not been provided, though elevation drawings show this level will be completely below grade. Retaining walls will be added along the building's north side to allow access beneath the building. As a condition of approval, staff recommends that more detailed grading information be provided. Staff also notes that the underground garage door is not depicted on the colored rendering drawings. There will be 15 surface automobile parking stalls behind the building. Concrete pads at the rear of the site are labeled for bike parking, with 28 stalls labeled but not dimensioned. Staff notes that the zoning code requires a minimum of one stall per unit (42 stalls in this case).

The landscape plan includes a variety of foundation plantings including yews, daylilies, and ornamental grasses. Elms are provided along the sidewalk frontage. Larger Swamp White Oaks are proposed along the north side of the building along, with three river birch clump plantings. Staff notes that the edge of the planting beds is not identified along the front of the building. As a condition of approval, staff recommends that this detail is included on the plans submitted for final sign-off.

Project Analysis and Conclusion

The proposed project is currently zoned PD-GDP-SIP (Planned Development – General Development Plan- Specific Implementation Plan). As noted above, this proposal is not consistent with all of the site-specific zoning standards and amendments to both the existing GDP and SIP are required. In making their recommendation to the Council, the Plan Commission will need to consider whether the proposal is consistent with the Comprehensive Plan, the general zoning map amendment standards, and the PUD approval standards. The analysis below begins with a summary of the underlying Planned Development zoning requirements and the adopted land use plan recommendations.

Planned Development (PD) - Savannah on the Park

The Savannah on the Park planned development zoning was originally approved in 2003. As approved, the development includes eight buildings with a total of 127 units, which have been implemented in phases. This count includes the unbuilt 12 and 16 unit buildings that would be replaced with the 42-unit building proposed in this application. This is the last undeveloped piece within this development.

As with all Planned Developments (formerly Planned Unit Developments), the uses are defined in a stand-alone zoning text unique to each development. The existing text requires owner-occupied housing in the existing building at 6717 Fairhaven Road. That very restrictive language was proposed by the project's original developer. The revised zoning text included in this packet removes this restriction. Staff notes that similar tenancy language was removed as part of a different zoning amendment for the 10-unit building at 6746 Fairhaven Road in May 2012. That building is immediately across the street from this site. The proposed zoning text also discusses the dissolving of the existing condominium, which is done through a separate process not requiring approval by the Plan or Urban Design Commissions.

Context photos have been provided by the applicant. Staff notes that the largest building currently in the development is the three-story 33-unit apartment building at the corner of Fairhaven Road and Maple Grove Drive. That building is roughly 200 feet in length. (The proposed building is comparable at 220 feet in length.) The other buildings are somewhat smaller 2-3 story townhouse style buildings ranging from 10-16 units apiece. These buildings range in size from roughly 100 to 170 feet in length.

While not part of this development, the approved Country Grove Condominiums Planned Development is just to the northeast of this site. That approval includes two 41-unit buildings, each three-stories in height with a length over 240 feet. Staff notes that only one of those buildings has been completed.

Conformance with Adopted Plans

The proposed development is generally consistent with the Comprehensive Plan, though it exceeds the recommended density in the more specific neighborhood development plan.

The Comprehensive Plan recommends the subject site and surrounding properties for medium density residential development. Medium Density Residential is defined as 16-40 du/ac (dwelling units per acre). That plan also recommends that apartment buildings (multi-unit dwellings with units accessed via shared entrances and hallways) with no specific size limitation if compatible in scale and character with other buildings. Further, the plan recommends that development should also be guided by the more-detailed recommendations of an adopted neighborhood development plan.

The subject site is included within the planning area for the Cross Country Neighborhood Development Plan. That plan also recommends medium density residential development, but recommends that the average density of development should be approximately 16 du/ac (dwelling units per acre). The new building has an estimated density of about 32 du/ac. Staff notes that the entire “Savannah on the Park” development has an approved density of approximately 21 du/ac. With the additional 14 units proposed, the resulting density for the entire development would increase to about 23 du/ac.

Zoning Map Amendment Approval Standards

Staff believe the Zoning Map Amendment standards are met with this proposal. The zoning map standards of the 1966 code requires that the Plan Commission give due recognition of the master plan (now the Comprehensive Plan) prior to recommending approval of a zoning change. Chapter 66.1001(3) of Wisconsin Statutes more specifically requires that zoning map amendments 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.” Based on the above analysis, staff believes the proposal could be found to be consistent with the Comprehensive Plan. In addition, the zoning map amendment standards in the 1966 code state that the Plan Commission shall not recommend the adoption of a proposed zoning amendment unless it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the applicant.

Planned Unit Development Approval Standards

Staff believes that the Planned Unit Development (PUD) standards can be met, though it also believes some design modifications may better align the project with the PUD standards. Planned Unit Developments (PUDs) are intended to promote improved environmental and aesthetic design by allowing for greater freedom, imagination, and flexibility compared to conventional zoning districts. The PUD approval standards include the character and intensity of land use, economic impact, maintenance of open space, and the implementation schedule. Staff is providing further analysis on the character and intensity criterion, below. Other standards are believed to be met.

Specifically, Criteria 1a and 1b state:

In a Planned Unit Development District, the uses and their intensity, appearance and arrangement shall be of a visual and operational character which:

PUD Criterion 1a: Are compatible with the physical nature of the site or area.

PUD Criterion 1b: Would produce an attractive environment of sustained aesthetic desirability, economic stability and functional practicality compatible with the general development plan.

Regarding Criterion 1a, the Planning Division acknowledges the applicant’s efforts to reduce the size and scale of the building. Compared to the applicant’s original proposal for a 51-unit, 279 foot-long structure, staff believes the 220-foot long, 42-unit building is more consistent with underlying land use plan recommendations and the existing development pattern. The Planning Division has indicated that it could support a project of this size, provided the project was of a physical design quality to meet the PUD standards, namely Criterion 1b.

Staff met with the applicant's team at the end of January and saw plans similar to those submitted. Various issues were discussed at that time. Based on that discussion, the applicant simplified the façade by removing vinyl shake siding that was to be a fourth exterior material. The applicant also reduced ornamentation that added height and mass to the elevator penthouse. Other issues raised by staff included concerns about the number of side-by-side material changes occurring in the same plane and the lack of windows along the relatively unarticulated side elevations. Those issues remain.

The Urban Design Commission is charged through ordinance to review and report its findings to the Plan Commission and Council on the design of Planned Unit Developments, based on the applicable approval standards. The following comments are provided for their consideration. These or other changes could be included in the formal recommendation of the Urban Design Commission, should they find them necessary to meet the approval standards.

- Provide additional windows along the side elevations.
- Carry base stone material along the entire first floor, including side elevations.
- Avoid the side-by-side vertical transitions of stone to vinyl on the building's upper levels. Staff prefers a horizontal transition with a significant band between transitions and/or transition materials at interior corners. On the street side of the building (Elevation "A"), staff believes that the two bays surrounding the main entrance should have consistent two-story stone facade. On the parking lot side of the building (Elevation "C") staff believes that the bay underneath the gable on the south (left) side of the building should have consistent two-story stone facade, similar to the other side of the building.
- Consider small a design feature below the larger gable ends closet to the central entrance, above the third floor windows to better articulate that portion of the façade.
- The small gable roof on the left (south) street-facing facade (Elevation "A") is not centered above the windows. Staff recommend alterations be considered.

Public Input

At the time of report writing, staff was not aware of any public comments or concerns on this proposal.

Conclusion

There are two key components to this proposed Planned Development alteration request. The first change is removing an owner-occupied requirement in the zoning text for the existing building at 6717 Fairhaven Road. Staff notes that similar language was removed to allow the conversion of a 10-unit condominium across the street into a 10 unit apartment building. That was approved in 2012. Tenure requirements are not typically included in zoning texts, and staff is not opposed to its removal. No physical changes are proposed to that building.

The other component of this request is to develop a three-story, 42-unit building on the balance of 6717 and on 6733 Fairhaven Road. The existing site-specific PUD/PD zoning allows for the construction of another 16-unit and a 12-unit building at this location. Based on concerns from staff, the applicant has revised their proposal, which had included 51 units and an additional 60 feet of building length. Several meetings have been held between the Planning Division and the applicant. While the Planning Division has noted its preference for a two-building design, or a single-building with larger central courtyard feature to break up the building mass, staff believes it is possible for an attractive, well-designed 42-unit building to meet the applicable standards. Regarding context, there are some other buildings within this Planned Development and in an adjacent planned development that are of a similar size. Staff believes consideration should be given to exterior materials and design detail, as noted in this report.

Recommendation

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

If the Urban Design Commission and Plan Commission can find the applicable standards are met, the Planning Division recommends that the Plan Commission forward Zoning Map Amendment 3613 to the Common Council with a recommendation of **approval** to rezone the subject properties from PD-GDP-SIP to amended PD-GDP-SIP to allow the construction of a 42-unit building and to remove an existing owner-occupancy restriction in the zoning text for the existing building at 6717 Fairhaven Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Planning Division Recommended Conditions:

1. That the applicant provides additional grading information, labeling existing and proposed grading changes for approval of the Planning Division. Finished grade elevations at building corners should be labeled.
2. That final drawings submitted for sign-off are internally consistent. Submitted plans do not show garage door on "Elevation D" of the colored rendering.
3. That a revised landscape plan be provided for staff approval. Plan should clearly delineate the location of planting beds and shall be consistent with the recommendations of the Urban Design and Plan Commissions.
4. For the new building, that one bicycle parking stall be provided for each dwelling unit. Some bicycle stalls shall be located near building entrances.

NOTE – Comments from other reviewing agencies were not available prior to this report being provided to the Urban Design Commission. Those will be provided in advance of the Plan Commission meeting.