

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
May 26, 2006

CONSIDERATION OF A REQUEST FOR EXTENSION OF APPROVED TIME PERIOD TO OBTAIN BUILDING PERMITS FOR A RESIDENTIAL PUD(SIP) LOCATED AT 6321 TOWN CENTER DRIVE:

1. Requested Action: Approval for the extension of the maximum time period to obtain building permits for an approved PUD(SIP). This application was originally approved by the Common Council on June 3, 2003.
2. Applicable Regulations: Section 28.07(6)(g)5 specifies the time period within which PUD documents must obtain building permits. The ordinance specifies the time period to be 36 months unless an additional 24 months is allowed by the Plan Commission. The ordinance was recently revised to allow the initial 36-month period with an additional 24 months available (a total of 60 months) if the Plan Commission finds that the General Development Plan is not inconsistent with conditions that may have changed in the area or neighborhood (see attached text amendment, File Number 03205, adopted by the Common Council on April 18, 2006).
3. Report Drafted By: Peter Olson, Planner II

ANALYSIS:

On April 18, 2006, the Common Council approved a Zoning Text Amendment clarifying the time period within which Planned Unit Development documents must be recorded at the Register of Deeds Office and building permits obtained subsequent to Common Council approval and specifying a procedure for extensions to this time period. The revised ordinance now allows an initial 36 months period. The ordinance then provides an additional 24-month period if the Plan Commission finds that the General Development Plan is not inconsistent with conditions that may have changed in the area or neighborhood. This application was initially approved by the Madison Common Council on June 3, 2003. The PUD(SIP) documents were subsequently recorded at the Register of Deeds Office on June 14, 2004. The applicant's Letter of Intent indicates that due to conditions in the rental housing market and the desire on behalf of the applicant not to sell these units as condominiums, construction of this project has been delayed. The initial 36 month approval period will expire in early June 2006. The applicant wishes to avail themselves of the ordinance provisions allowing the Plan Commission to approve an additional 24-month period within which to obtain the required building permits.

The subject property is located in the "Metrotech" development located between Milwaukee Street and the Interstate Highway 94 corridor, east of North Sprecher Road. Conditions in the surrounding area have not changed since initial approval of this multi-family project with the exception of additional approved single and multi-family residential development south of the Milwaukee Street corridor. Neither the construction of the approved development on the subject property nor development of the properties to the south should have any negative impact upon each other nor upon the existing surrounding development pattern. Ordinance provisions

authorizing the Plan Commission to grant a 24-month extension to the period for obtaining building permits for an approved Planned Unit Development require the Commission to find that the General Development Plan is not inconsistent with conditions that may have changed in the area or neighborhood. Staff recommends that Commission make these findings. The Ordinance also states that where the plans have not been altered from the Common Council approval, the Plan Commission may grant an extension of time to obtain a building permit but may not change or add to the conditions of the rezoning. The development plans for this property remain unchanged. The previously approved development plans are included with this report. A copy of the amended Zoning Text with the drafter's analysis has also been attached to this report for the Plan Commission's convenience.

RECOMMENDATIONS:

The Planning Unit recommends that the Plan Commission find that the ordinance standards are met and approve a 24-month extension of the time limit imposed for the applicant to obtain their building permits for the 65-unit apartment development located at 6321 Town Center Drive.

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