



Report to the Plan Commission

March 21, 2011

Legistar I.D. #21726
12 Dempsey Road
Conditional Use

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval of a conditional use alteration to remove an age restriction requirement for an existing 25-unit apartment building.

Applicable Regulations & Standards: Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met to remove an age restriction requirement for a 25-unit apartment building at 12 Dempsey Road and **approve** the requested conditional use alteration subject to input at the public hearing and the comments from reviewing agencies.

Background Information

Applicant / Contact / Owner: Carla Fears; Ecumenical Housing Corporation; 12 Dempsey Road #204; Madison, WI 53714

Proposal: The applicant proposes to convert 25 units of senior housing to non-age restricted housing, requiring approval of a conditional use alteration.

Parcel Location: The parcel is an approximately 1.06 acre (46,174 square foot) parcel located on the west side of Dempsey Road, south of its intersection with Milwaukee Street. This parcel is located within Aldermanic District 15 and the Madison Metropolitan School District.

Existing Conditions: The site includes an existing 25-unit apartment building and surface parking lot with 27 parking stalls.

Surrounding Land Use and Zoning: A grocery store, zoned C2 (General Commercial Development), is immediately west of the site with park land zoned R2 (Single-Family Residence District) south of that. A church, also zoned R2 is immediately south of the subject property. Other commercial development zoned C2 is east of the subject site, with an elevated portion of Stoughton Road, beyond.

Adopted Land Use Plan: The Comprehensive Plan recommends low density residential uses for the subject property.

Environmental Corridor Status: The property is not within an environmental corridor.

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

Zoning Summary: The property is zoned R5 (General Residence District)

Bulk Requirements	Required	Proposed
Lot Area	29,400 sq. ft.	46,269 sq. ft. existing
Lot width	50'	277.42'
Usable open space	5,760 sq. ft.	8,840 sq. ft.
Front yard	20'	13' existing
Side yards	Min.10', total 20'	30 RS / 14' LS
Rear yard	30'	31.5'
Building height	3 stories/ 40 feet	2 stories
Site Design	Required	Proposed
Number parking stalls	27	27
Accessible stalls	2	2
Loading	1 (10'x35')	None shown (See Comment # 7)
Number bike parking stalls	1 stall per apt. unit (25)	26 (See Comment # 3)
Landscaping	Yes	Yes (See Comment # 4)
Lighting	No	No (See Comment # 5)
Other Critical Zoning Items	Utility easements, Barrier free (ILHR 69)	

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

Analysis, Evaluation, & Conclusion

The applicant seeks approval of a conditional use alteration to remove an age-restriction requirement for an existing 25-unit apartment building. The building received conditional use approval as a senior housing development in November 1984. As such, the conversion of this building to non-age restricted housing requires review and approval from the Plan Commission. This alteration request is subject to the conditional use review standards.

No building changes are proposed. The building will remain a combination of 14 one-bedroom and 11 two-bedroom units. Site plan alterations are limited to a minor reconfiguration of the parking lot to bring the accessible stalls up to current standards. The resulting plan includes 27 parking stalls, two of them being accessible. Plans also include 26 bicycle parking stalls. The letter of intent also requests approval of a parking reduction, though after review of the proposal, City Zoning staff indicates that the proposed parking meets the code requirements and approval of a parking reduction is not necessary. For new development, the code would require additional stalls; however, the applicant is not required to provide that additional parking since this is an existing use and that the density of the project is not increasing.

The Comprehensive Plan recommends low density residential uses for this site. While the density (at 24 units per acre) is slightly above the average 15 units per acre recommended in the Plan, staff note the density is not increasing with this proposal. Further, the Plan states that while most developments within the low density areas should fall within this range, small areas of slightly higher density may exist due to the historical development pattern.

The Plan also recommends that any higher density housing within low-density residential areas should be located nearer to mixed-use or other more intensively developed areas. This site is consistent with that recommendation as it does not abut any single-family or lower-density residential development.

The adjacent properties include a large grocery store (to the west) and church (to the south). Other commercial development is located on the opposite side of Dempsey Road. A city park is located to the southwest.

Staff believes the conditional use standards are met with this alteration request. Staff do not anticipate this alteration would significantly impact the surrounding properties. At the time of report writing, staff was not aware of any concerns on this proposal. Staff believes the project meets the applicable standards and recommends approval.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission find that the conditional use standards are met to remove an age restriction requirement for a 25-unit apartment building at 12 Dempsey Road and **approve** the requested conditional use alteration subject to input at the public hearing and the comments from reviewing agencies.

The following conditions have been submitted by reviewing agencies:

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

1. Submit a PDF of all floor plans to addressing@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

Traffic Engineering Division (Contact John Leach, 267-8755)

This agency submitted a report with no recommended conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

2. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of 2 accessible stall striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side.
 - b. Show signage at the head of the stalls.
 - c. The stalls shall be as near the elevator as possible.
3. Bike parking shall comply with City of Madison General Ordinances Section 28.11. Provide one bike parking stall for each apt. (25) in a safe and convenient locations on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to

prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.

4. Off street parking requirement shall comply with City of Madison General Ordinances Section 28.11. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Provide revised landscape plan to match revised site plan.
5. If exterior lighting is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. Lighting will be limited to .10 watts per square foot.
6. Signage must be approved by the Urban Design Commission or staff. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
7. Parking & Loading shall comply with City of Madison General Ordinances Section 28.11 (4). Provide (1) 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area can be located in the drive aisle.

Fire Department (Contact Bill Sullivan, 261-9658)

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

Parks Division (Contact Kay Rutledge, 266-4714)

9. The developer shall pay \$27,097.75 in park dedication and development fees for the converted 25 non-age restricted apartments after a credit is given for the existing 25-unit age-restricted senior apartment housing.
10. The developer must select a method for payment of park fees before signoff.
11. This development is within the Olbrich park impact fee district (SI25).

Water Utility (Contact Dennis Cawley, 261-9243)

This property is in a Wellhead Protection District. This use is permitted in the District. Any proposed change in use shall be approved by the Water Utility General Manager or his designated representative. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.