



Department of Planning & Community & Economic Development

Planning Division

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TO: Plan Commission
FROM: Timothy M. Parks, Planner
DATE: December 9, 2019
SUBJECT: Ordinance ID [58253](#) – Rezoning 1402 S Park Street, 13th Ald. Dist., from CC-T (Commercial Corridor–Transitional District) to TSS (Traditional Shopping Street District).

On November 19, 2019, Ald. Tag Evers, 13th Ald. Dist., introduced Ordinance ID 58253 to rezone the City-owned “Truman Olson” property at 1402 S Park Street from CC-T to TSS to facilitate redevelopment of the site in accordance with the objectives outlined in the request for proposals (RFP) for the property, which was released on May 15, 2019. On December 3, 2019, the Common Council selected Rule Enterprises with whom to commence negotiations to purchase the undeveloped approximately 3.5-acre subject site for redevelopment. Rule was among four parties that submitted responses to the RFP, which required that any redevelopment of the site include the construction of a new grocery store to serve this area of the City (in anticipation of the closing of the existing adjacent Pick ‘n Save store) and construction of an east-west street to extend west from S Park Street to ultimately intersect with Fish Hatchery Road (operatively referred to as “Cedar Street”). The subject site is located in Urban Design Dist. 7.

All of the responses submitted contemplated some form of mixed-use development that included a ground floor grocery store and some number of predominantly residential stories above with a structured parking component. As City staff reviewed the responses to the RFP, it became evident that some or all of the proposed development projects would not meet the usable open space requirements in the existing CC-T zoning district, which requires a minimum of 160 square feet per lodging room or one-bedroom unit and 320 square feet for any unit with more than one bedroom. Additionally, a maximum of 75% of the required open space may be provided on patios, balconies, or roof decks, with the remaining minimum 25% of usable open space required to be provided at grade.

By comparison, the proposed TSS zoning district requires significantly less usable open space, with 40 square feet of usable open space per dwelling unit regardless of the number of bedrooms. In addition, per Section 28.140 of the Zoning Code, 100% of the required usable open space may be met on balconies or roof decks.

The redevelopment of the site with the mixed-use proposals submitted by the respondents to the RFP will require conditional use approval(s) by the Plan Commission and approval by the Urban Design Commission prior to the issuance of building permits regardless of whether the site is zoned CC-T or TSS. The exact approvals required will be determined subsequent to the proposed zoning change. Both districts require conditional use approval for buildings that exceed maximum floor area thresholds for an individual establishment or multi-tenant/mixed-use buildings, and/or buildings that exceed height thresholds in both stories and feet above grade. The height and mass thresholds in CC-T are higher than those in the TSS district (respectively 25,000 and 40,000 square feet and five (5) stories and 68 feet in CC-T, versus 10,000 and 25,000 square feet and three (3) stories and 40 feet in TSS). However, the usable open space

requirement in either district cannot be modified through conditional use approval, and as such, provides an impetus for the zoning change proposed.

The Truman Olson property is recommended in the 2018 Comprehensive Plan for Regional Mixed-Use (RMU) development. The RMU category includes existing and planned high-intensity centers supporting a variety of multi-family housing options and commercial activity serving the needs of the region. These areas typically include large-scale sites supportive of multi-story buildings up to twelve stories in height, subject to recommendations in adopted sub-area plans. RMU areas are intended to be the most intensively developed areas of the city outside of downtown and are mapped close to the junctions of major streets, along major roads, close to highway interchanges, and along existing and planned high-frequency/high-capacity public transit routes. RMU areas should be well connected with the adjoining street network and be transit-oriented, with a pedestrian-friendly public street network and buildings placed close to the sidewalk and street, and with parking located behind buildings, underground, on street, or in parking structures.

The subject site is also located within the boundaries of the 2006 Wingra Market BUILD Market Study and Redevelopment Plan, which includes the property in Sub-Area 1 of the plan, which also includes the Labor Temple property and adjacent US Post Office properties. The recommendations for Sub-Area 1 generally encourage “major mixed-use, transit-oriented development” with office, housing and commercial elements, and a “more concentrated cluster of neighborhood-oriented retail stores and services in the vicinity of the [Pick ‘n Save].”

Planning staff feels that both the existing CC-T zoning and proposed TSS zoning are equally conducive to implementing the recommendations for the Truman Olson property in the Comprehensive Plan and Wingra Market BUILD Market Study and Redevelopment Plan. The statement of purpose for the CC-T district states that it “is established to recognize the many commercial corridors within the City that remain largely auto-oriented, and to encourage their transformation into mixed-use corridors that are equally conducive to pedestrian, bicycle, transit and motor vehicle activity,” while the TSS district “is established to encourage and sustain the viability of Madison's mixed-use corridors, which sustain many of the City's traditional neighborhoods.” However, staff feels that the reduced minimum usable open space requirement in the proposed TSS district and the ability for all of that space to be structured will afford redevelopment of the Truman Olson property consistent with the adopted plan recommendations a greater degree of flexibility than the existing CC-T zoning.

In closing, the Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Ordinance ID 58253 to rezone 1402 S Park Street from CC-T to TSS. No conditions of approval are recommended for the requested zoning map amendment.