



## Report to the Plan Commission

April 12, 2010

**Legistar I.D. #18001**  
**2437 Allied Drive & 4654 Crescent Road**  
**Preliminary & Final Plat**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

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**Requested Actions:** Approval of a preliminary plat and a final plat creating 28 residential lots and 4 outlots at 2437 Allied Drive and 4654 Crescent Road.

**Applicable Regulations & Standards:** The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward the preliminary plat and final plat of Allied Drive Phase II to the Common Council with a recommendation of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### **Background Information**

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**Applicant & Property Owner:** City of Madison and the Community Development Authority.

**Surveyor:** Frank Thousand, Arnold & O'Sheridan, Inc.; 1111 Deming Way; Madison.

**Proposal:** The property will be subdivided into 28 residential lots and 4 outlots in the existing PUD-GDP zoning. Of the 28 lots to be created, a minimum of 20 will be developed with single-family residences, with up to 5 of the lots to be developed with two-family residences and 3 of the lots to be developed with multi-family residential buildings. Construction of infrastructure to serve the second phase of development will commence later this year under a contract let by the City once all regulatory approval of this subdivision are granted and the final plat is recorded.

**Parcel Location:** Approximately 8.8 acres of land generally located along the east side of Allied Drive approximately 500 feet south of Jenewein Drive; Aldermanic District 10; Madison Metropolitan School District.

**Existing Conditions:** Undeveloped lands, zoned PUD-GDP

#### **Surrounding Land Use and Zoning:**

North: Phase I of the CDA Allied Drive redevelopment project, containing 32 apartment units in two apartment buildings and 16 townhouse units in three buildings.

South: One-and two-family residences, zoned R3 (Single- and Two-Family Residence District);

East: Single-family residences, Belmar Hills Park and the Boys and Girls Club, all in the City of Fitchburg;

West: Multi-family residences, zoned R4 (General Residence District);

**Adopted Land Use Plan:** The Comprehensive Plan identifies this area for medium-density residential uses.

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor. The City-owned greenway along the eastern edge of the site is shown as public land on the corridor map.

**Public Utilities and Services:** The property will be served by a full range of urban services.

**Zoning Summary:** Existing PUD-GDP-SIP zoning. A separate application to amend the PUD-GDP-SIP zoning of the development will be submitted later this spring to provide a framework for the construction of individual buildings within the plat boundaries.

## **Previous Approval**

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On July 1, 2008, the Common Council approved a request to rezone 11.5 acres of land located at 4705-4713 Jenewein Road, 2317-2423 Allied Drive, and 4654 Crescent Road from R3 & R4 to PUD-GDP-SIP to allow construction of 114 total dwelling units consisting of 32 apartment units in 2 buildings, 48 townhouse units in 7 buildings, 5 duplexes and 24 single-family residences in two phases following the demolition of 11 apartment buildings.

The first phase specific implementation plan provided final plan details for the construction of the 2 apartment buildings and 16 of the 48 townhouse units in 3 buildings and provided conforming zoning for 2 apartment buildings that remained during Phase I construction but have been since demolished. A separate application to amend the PUD will be submitted later this spring to provide final plan details for Phase II of the project.

The 2008 rezoning of the site to PUD included a condition of approval that the second phase of the project comply with inclusionary zoning, if still applicable, at the time that a specific implementation plan is submitted for approval. Staff recommends a condition of approval for the subject plat that requires the inclusionary zoning condition be addressed as part of the forthcoming PUD amendment.

## **Project Review, Analysis & Conclusion**

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The City of Madison and the Community Development Authority (CDA) are requesting preliminary and final plat approval to create 28 residential lots and 4 outlots from 8.8 acres of land zoned PUD-GDP-SIP. Of the 28 lots proposed, a minimum of 20 will be developed with single-family residences, with up to 5 of the lots to be developed with two-family residences and 3 of the lots to be developed with multi-family residential buildings. The proposed subdivision represents the second phase of the CDA's Allied Drive redevelopment project initially approved in 2008. Construction of the infrastructure to serve the project will be constructed this summer under a contract let by the City.

The land to be subdivided includes Lot 4 of Certified Survey Map 12506, which was administratively approved and recorded in 2008 to facilitate development of Phase I of the redevelopment project. In addition to creating three lots for the 2 apartment buildings and 3 townhouse buildings approved in Phase I, the four-lot CSM also dedicated Mike McKinney Court, Gene Parks Place, Frida Kahlo Crest, a

portion of Revival Ridge and an unnamed public alley as public streets to serve the development. The current subdivision proposal also includes a 2.91-acre parcel of land addressed as 4654 Crescent Road, which was dedicated to the City of Madison with the plat of 1st Addition to Allied Drive and has historically been used as a utility corridor and greenway. The City-owned parcel extends the length of the site and is mostly undeveloped with the exception of a parking lot and basketball court at the northern end at Jenewein Road, which is leased to the adjacent Boys & Girls Club located next door in the City of Fitchburg. The parcel was dedicated to the City by the 1963 with no specific purpose shown on the plat, such as being for parkland or stormwater management purposes. On March 2, 2010, the Common Council adopted a separate resolution authorizing the City Attorney to petition Dane County Circuit Court to vacate/discontinue a portion of this unspecified dedication to allow the proposed plat to proceed. Recording of the final plat may not proceed until the vacation/ discontinuance process is completed.

The proposed plat calls for the dedication of the remainder of Revival Ridge along the eastern edge of the site and the southerly extension of Gene Parks Place as well as the dedication of Percy Julian Way and Dunn's Marsh Terrace to provide access to the second phase of the redevelopment. Lots 1-3 of the plat are envisioned for future multi-family development, with a 28-foot wide public alley proposed between Lots 1 and 2 to provide vehicular access for those future buildings. Lots 4-28 of the plat will be developed with a combination of single- and two-family residences, with up to 5 two-family buildings envisioned to potentially occupy Lots 4, 11, 12, 18 and 28. A north-south public alley will extend parallel to Allied Drive to provide rear-lot access to the future residences to be developed Lots 4-18. Lots 5-10 and Lots 13-17 will be 40 feet wide and 90 feet deep and are designed to accommodate alley-loaded single-family homes, while Lots 19-27 will be platted with a minimum of 50 feet of lot width and additional lot area intended to accommodate wider single-family homes with front-loaded garages. The use of Lots 4-28 will be specified as part of the forthcoming PUD amendment to provide final development details for Phase II of the CDA redevelopment.

Four outlots will be created by the proposed plat. Outlot 1 will be a 0.4-acre parcel that will be retained by the City and represents the property the City currently leases to the adjacent Boys and Girls Club in Fitchburg. Outlot 2 will be a 1.19-acre parcel dedicated to the City for stormwater management and other public purposes, which will extend along most of the eastern edge of the subdivision and may include a pedestrian connection from the development to Crescent Road. Outlot 3 will be privately maintained community garden parcel located north of proposed Lot 19, while Outlot 4 will be a private open space parcel to be located between the eastern lot lines of Lots 12-18 and Dunn's Marsh Terrace. The Subdivision Regulations require that the Planning Division and City Attorney's Office review the organizational structure, use and long-term maintenance of these privately maintained subdivision amenities prior to the recording of the final plat.

In closing, Planning staff believes that the proposed plat of Allied Drive Phase II can meet the standards for approval for subdivision plats. The subdivision represents the next step in the CDA's significant Allied Drive redevelopment project, which will ultimately replace 11 blighted buildings that occupied the site with a variety of housing types and styles and supporting open spaces. Specific details of the buildings to be constructed on the proposed lots will be finalized as part of a forthcoming amendment to the existing PUD-GDP-SIP zoning, which will be submitted for approval later this year prior to the next phase of home construction beginning.

## **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward the preliminary and final plats of the Allied Drive Phase II subdivision to the Common Council with a recommendation of **approval** subject to input at the public hearing and the following conditions:

1. That recording of the final plat not proceed until the lands included in the proposed subdivision that were dedicated to the City of Madison with the plat of 1st Addition to Allied Drive have been vacated/ discontinued.
2. That the applicability of the inclusionary zoning provisions of the Zoning Ordinance shall be addressed through the approval of future amendments to the general development and specific implementation plans for the project.
3. That the applicant submit two copies of private subdivision covenants, conditions and restrictions to govern the organizational structure, use, maintenance and continued protection of the development and any common services, open areas or other facilities to serve the proposed subdivision for approval by the Planning Division and City Attorney's Office prior to final approval of the plat for recording.
4. That the final plat be revised to note the use of Outlots 3 and 4 as "Private Open Space".

The following conditions of approval have been submitted by reviewing agencies:

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

5. Include definition of intended use, and dedication if necessary, for Outlot 4.
6. Note: The City of Madison will let a public works construction project for the infrastructure required to serve this plat.
7. An erosion control plan and land disturbing activity permit shall be submitted to the City Engineering Division for review and approval prior to grading or any other construction activities. The Pre-construction Meeting for Public Improvements shall not be scheduled prior to issuance of this permit. 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 7.5-tons per acre per year.
8. The following notes shall be included on the final plat (MGO 16.23(8)(9)(b)2):
  - a.) All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the plat. For purposes of 2 or more lots combined for a single development site, or where 2 or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of 6 feet in width

and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be 12 feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

Note: In the event of a City Of Madison Plan Commission and/or Common Council-approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

- b.) The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.
9. Prior to the issuance of building permits, the developer shall submit a master stormwater drainage plan to the City Engineering Division for review and approval which shows lot corner elevations to the nearest 0.25-foot. For purposes of the plan, it shall be assumed that grading shall be done on a straight line grade between points unless other information is provided. The proposed slope between points shall always be greater than or equal to .0075 ft/ft. If a break in grade is required between lot corners a shot shall be taken at that break in grade to provide the Engineer with enough information to interpret the plan. The Developer shall also show proposed drainage arrows on the plan to indicate the proposed direction of drainage. The master storm water drainage plan shall be submitted to City Engineering in digital format with elevations/grades/contours shown on the recorded plat map of the development. The digital record shall be provided using the state plane coordinate system – NAD 27. No building permits shall be issued prior to City Engineering's approval of this plan.

The following note shall accompany the master storm water drainage plan:

*“For purposes of this plan, it is assumed that grading shall be a straight line grade between points unless otherwise indicated. All slopes shall be 0.75% or steeper. Grade breaks between lot corners are shown by elevation or through the use of drainage arrows.”*

10. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
11. A minimum of two working days prior to requesting City Engineering Division signoff on the plat, the applicant shall contact Janet Dailey to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

12. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division signoff, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering signoff.

**Traffic Engineering Division** (Contact Dan McCormick, 267-4761)

13. The developer shall put the following note on the face of the plat: "All the lots within this subdivision are subject to impact fees that are due and payable at the issuance of building permit(s)." Note: The final sign-off may be delayed until the transportation impact fees are negotiated or approved by the Common Council.

14. Prior to approval, the applicant shall prepare and provide a master ped-bike plan for the plat that is consistent with the City's area wide plans and the plat's specific provisions, to be reviewed and approved by the Traffic Engineer. The applicant may need to modify the right of way to accommodate the ped-bike plan.

15. The applicant shall execute and return declaration of conditions and covenants for streetlights and traffic signals prior to sign off. The applicant will need to provide a deposit for their reasonable and proportionate share of traffic signal costs.

16. The developer will need to demonstrate/ provide how private streetlights will be installed and maintained in the public alleys. The plat shall provide the following note on the face of the plat: "The City will not install lighting in the alleys, but the developer or property owners may request the City to approve a private light(s) in the alley right of way. Such private light(s) to be operated and maintained by private interests."

17. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

**Parks Division** (Contact Tom Maglio, 266-6518) and

18. Park dedication and development fees will be determined when the final specific implementation plan is submitted for this project. Park impact fees will be due prior to signoff of the SIP and/or the issuance of building permits.

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

This agency did not submit comments for this request.

**Fire Department** (Contact Scott Strassburg, 261-9843)

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**Water Utility** (Contact Dennis Cawley, 261-9243)

19. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.