

PLANNING DIVISION STAFF REPORT

November 27, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 201-301 S Park Street and 702 and 755 Braxton Place
(13th Alder District, Ald. Evers)

Application Type: Zoning Map Amendment

Legistar File ID # [80631](#)

Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner, Planning Division

Summary

Applicant & Property Owner: Matt Wachter; City of Madison CDA; 215 Martin Luther King Jr Blvd, #161 Madison, WI 53701

Contact: Dan Johns; CDA Redevelopment; 215 Martin Luther King Jr Blvd, #300; Madison, WI 53701

Requested Action: Creating Section 28.022-00650 of the Madison General Ordinances to change the zoning of property located at 201-301 South Park Street from PD (Planned Development) District to RMX (Regional Mixed-Use) District; creating Section 28.022-00651 of the Madison General Ordinances to change the zoning of property located at 702 Braxton Place from TR-U1 (Traditional Residential-Urban 1) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00652 of the Madison General Ordinances to change the zoning of property located at 755 Braxton Place from PD (Planned Development) District to TR-U2 (Traditional Residential-Urban 2) District. (District 13)

Proposal Summary: The applicant proposes to rezone the four Community Development Authority (CDA)-owned parcels in order to get 'favorable zoning' in place – a precursor requirement for low-income housing tax credit applications. Such tax credits will be essential to the redevelopment of the four sites. Note: no demolition, conditional use, or site plan approvals are being sought at this time.

Applicable Regulations & Standards: Section 28.182 of the Zoning Code provides the process for zoning map amendments. It is also subject to MGO Sections 28.051 and 28.098 which pertain to the TR-U2 (Traditional Residential-Urban 2) and PD (Planned Development) Districts, respectively.

Review Required By: Plan Commission, and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00650 of the Madison General Ordinances to change the zoning of property located at 201-301 South Park Street from PD (Planned Development) District to RMX (Regional Mixed-Use) District; creating Section 28.022-00651 of the Madison General Ordinances to change the zoning of property located at 702 Braxton Place from TR-U1 (Traditional Residential-Urban 1) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00652 of the Madison General Ordinances to change the zoning of property located at 755 Braxton Place from PD (Planned Development) District to TR-U2 (Traditional Residential-Urban 2) District to the Common Council with a recommendation of **approval**, to facilitate future redevelopment of CDA-owned parcels. This recommendation is subject to input at the public hearing, and the conditions from reviewing agencies beginning on page 8 of this report.

Background Information

Parcel Location: The subject site is composed of four separate parcels:

- 702 Braxton Place – the 110,040-square-foot (2.53-acre) parcel located between Regent Street and Braxton Place, which takes access from Braxton Place;
- 755 Braxton Place – the 147,300-square-foot (3.38-acre) parcel located between Braxton place and E Washington Avenue, which takes access from Braxton Place;
- 201 S Park Street – the roughly 70,000-square-foot (1.6-acre) parcel is located on the east side of S Park Street, between Braxton Place and E Washington Avenue. It takes access from S Park Street; and
- 301 S Park Street – the 111,500-square-foot (2.56-acre) is located to the north of the intersection of S Park Street and E Washington Avenue, and takes access from both streets.

All four parcels are located within Alder District 13 (Ald. Evers) and the Madison Metropolitan School District.

Existing Conditions and Land Use: All four sites are developed.

- 702 Braxton Place contains the 60-unit Gay Braxton Apartments;
- 755 Braxton Place contains the 162-unit Brittingham Apartments;
- 201 S Park Street contains the 20-unit Karabis Apartments; and
- 301 S Park Street contains the Parkside Tower (82 units) and Townhomes (12 units) and Asian Midway Foods grocery store.

Surrounding Land Uses and Zoning:

North: Across Regent Street are three and four-story office buildings, zoned PD (Planned Development) District;

East: The 106-unit Bayview townhouses, zoned TR-U1 (Traditional Residential – Urban 1) District. Across W Washington Avenue are condominiums, zoned TR-U1, and Brittingham Park, zoned PR (Parks and Recreation) District;

South: Across W Washington Avenue are commercial buildings and offices, zoned TSS (Traditional Shopping Street) District and single-family residences and two units, zoned TR-C2 (Traditional Residential – Consistent 2) District; and

West: Across S Park Street is UnityPoint Health-Meriter Hospital, zoned PD; and single-family residences, two units, and a gas station/convenience store, all zoned TSS.

Adopted Land Use Plans: The land use recommendations of the [Comprehensive Plan](#) (2018) and [Triangle Monona Bay Neighborhood Plan](#) (2019) are provided in the table below.

<u>Parcel</u>	<u>Comprehensive Plan Recommendations</u>	<u>Triangle Plan Recommendations</u>
702 Braxton Place	High Residential (4-12 stories)	Medium Residential (3-5 stories)
755 Braxton Place	High Residential (4-12 stories)	High Residential (4-12 stories)
201 S. Park Street	High Residential (4-12 stories)	High Residential (4-12 stories)
301 S. Park Street	<u>North Half:</u> High Residential (4-12 stories)	<u>North Half:</u> High Residential (4-12 stories)
	<u>South Half:</u> Community Mixed-Use (2-6 stories)	<u>South Half:</u> Community Mixed-Use (8-12 stories) with a 15ft stepback above 2 nd or 3 rd story

The [Park Street Urban Design Guidelines](#) (2004) generally recommends pedestrian-oriented and scaled buildings located close to the street, two to four stories in height, that “respect, reinforce, and enhance” the surrounding block. Finally, the [Brittingham-Vilas Neighborhood Plan](#) (1989) does not provide specific recommendations for the subject sites.

Environmental Corridor Status: There are no environmental corridors on the subject site.

Public Utilities and Services: The site is served by a full range of urban services. Metro Transit operates daily all day transit service along South Park Street adjacent this property - with trips at least every 30 minutes. Additional daily all-day transit service operates along Regent Street adjacent this property - with trips at least every 60 minutes.

Zoning Summaries: The 702 and 755 Braxton Place parcels are proposed to be rezoned into the TR-U2 (Traditional Residential-Urban 2) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	350 sq. ft./d.u.	702 Braxton Pl: 110,936 sq. ft. 755 Braxton Pl: 147,305 sq. ft.
Lot Width	50'	702 Braxton Pl: 307.79' 755 Braxton Pl: 520.65'
Front Yard Setback	15'	TBD
Max. Front Yard Setback: TOD	20'	TBD
Side Yard Setback	10'	TBD
Reverse Corner Side Yard Setback	12'	TBD
Rear Yard Setback	Lesser of 25% lot depth or 20'	TBD
Usable Open Space: TOD	Not required	TBD
Maximum Lot Coverage	80%	TBD
Minimum Building Height: TOD	2 stories	TBD
Maximum Building Height	6 stories/78'	TBD

The 201 and 301 S Park Street parcels are proposed to be rezoned into the RMX (Regional Mixed-Use) District.

Requirements	Required	Proposed
Lot Area: For exclusive residential use	None	201 S Park St: 69,917 sq. ft. 301 S Park St: 111,496 sq. ft.
Front Yard Setback	0' or 5'	TBD
Max. Front Yard Setback: TOD	20'	TBD
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side walls within 6' of lot line	One-story: 5' Two-story or higher: 6'	TBD
Side Yard Setback: Other cases	None unless needed for access	TBD
Rear Yard Setback	The lesser of 20% of lot depth or 20'	TBD
Usable Open Space	None	TBD
Maximum Lot Coverage	90%	TBD
Minimum Building Height	2 stories	TBD
Maximum Building Height: TOD	8 stories/ 116'	TBD

Other Critical Zoning Items:	Urban Design (UDD #7); Barrier Free (ILHR 69); Utility Easements; TOD Overlay
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Project Description

The applicant is requesting the following four zoning changes in order to facilitate the future redevelopment of these Community Development Authority (CDA)-owned parcels.



<u>Parcel</u>	<u>Existing Zoning District</u>	<u>Proposed Zoning District</u>
702 Braxton Place	TR-U1 (Traditional Residential-Urban 1)	TR-U2 (Traditional Residential-Urban 2)
755 Braxton Place	PD (Planned Development)	TR-U2 (Traditional Residential-Urban 2)
201 & 301 S Park Street	PD (Planned Development)	RMX (Regional Mixed-Use)

As noted in the submitted materials, the applicant (the CDA), intends to redevelop its entire portfolio at the Triangle in four or five phases over approximately ten years beginning in 2025. At completion, the sites will contain approximately 1,200 total residential units and a replacement Asian Midway Foods grocery store of approximately 10,000 square-feet. However, the CDA's financing plans for the Triangle redevelopment "rely heavily on low-income housing tax credits (LIHTC) administered by the Wisconsin Housing and Economic Development Authority (WHEDA). As a precursor to its applications to WHEDA for each phase, including the first to be submitted in January 2024, favorable zoning must be in place to ensure a successful LIHTC award in each application cycle." Hence the need for these four rezoning requests at this time.

The applicant notes that further land use approvals, including any necessary conditional uses pursuant to the requested zoning districts and demolition permits, will be sought as each phase is fully designed and financed. As such, further review for each of the sites is anticipated.

At this time, the applicant concept depicts the following on the four sites:

- 702 Braxton Place ('Site A' in the submitted plans): Two 5-story residential buildings w/ approximately 211 total units;
- 755 Braxton Place ('Site B'): Two 5- to 6-story residential buildings w/ approximately 353 total units;
- 201 S Park Street ('Site C'): Two 10-12-story residential/mixed-use buildings w/ approximately 486 total units and the (relocated) Asian Midway Foods grocery store along S Park Street frontage; and
- 301 S Park Street ('Site D'): One 10-story residential building with approximately 166 units.

Of note, a Certified Survey Map (CSM) will also be required down the road in order to shift the common lot line between 201 and 301 S Park Street so it roughly aligns with Chandler Street across S Park Street.

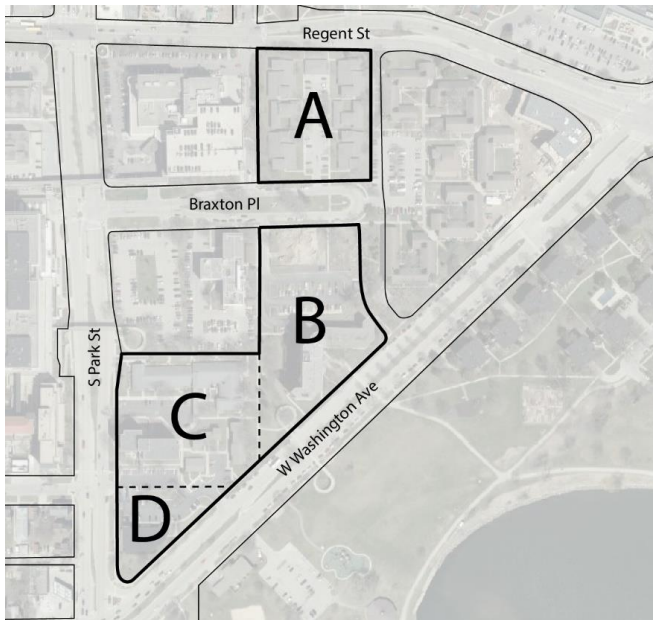
Analysis and Conclusion

This proposal is subject to the approval standards for Zoning Map Amendments [MGO Section 28.182(6)]. It is also subject to MGO Sections 28.051 and 28.098 which pertain to the TR-U2 (Traditional Residential-Urban 2) and PD (Planned Development) Districts, respectively.

Conformance with Adopted Plans

The land use recommendations of the [Comprehensive Plan](#) (2018) and [Triangle Monona Bay Neighborhood Plan](#) (2019) are provided, along with the proposed zoning and development program, in the table below.

<u>Parcel</u>	<u>Comp Plan Recommendations</u>	<u>Triangle Plan Recommendations</u>	<u>Proposed Zoning & Development Program</u>	
702 Braxton Place	High Residential (4-12 stories)	Medium Residential (3-5 stories)	'Site A'	<u>Zoning:</u> TR-U2 (6 stories/78ft) <u>Program:</u> Two 5-story residential buildings w/ approx. 211 units
755 Braxton Place	High Residential (4-12 stories)	High Residential (4-12 stories)	'Site B'	<u>Zoning:</u> TR-U2 (6 stories/78ft) <u>Program:</u> Two 5-6-story residential buildings w/ approx. 353 units
201 S. Park Street	High Residential (4-12 stories)	High Residential (4-12 stories)	'Site C'	<u>Zoning:</u> RMX (2-8 stories/116ft in the TOD Overlay District) (more w/ conditional use) <u>Program:</u> Two 10-12-story residential/mixed-use buildings w/ approx. 486 units and the Asian Midway Foods grocery store along S Park Street.
301 S. Park Street	<u>North Half:</u> High Residential (4-12 stories)	<u>North Half:</u> High Residential (4-12 stories)		
	<u>South Half:</u> Community Mixed-Use (2-6 stories)	<u>South Half:</u> Community Mixed-Use (8-12 stories) with a 15ft stepback above 2 nd or 3 rd story	'Site D'	<u>Zoning:</u> RMX (2-8 stories/116ft in the TOD Overlay District) (more w/ conditional use) <u>Program:</u> One 10-story residential building with approx. 166 units. Applicant noted could also be a mixed-use building.



**Configuration of the Four Future Development Sites
(as Described in the Applicant's Materials)**

For the 702 Braxton Place parcel ('Site A' in the submitted plans), the applicant is proposing TR-U2 (Traditional Residential-Urban 2) District zoning, which allows buildings up to six stories or 78 feet. For this parcel, the Comprehensive Plan currently recommends 'High Residential' (noted as 4-12 stories) with the more recent Triangle Monona Bay Plan recommending 'Medium Residential' (with buildings 3-5 stories in height). While the concept plan complies with the existing height recommendations of the adopted plans for the site, the more flexible TR-U2 district was determined to be necessary to implement the density envisioned by the applicant (on Sites 'A' and 'B') due to the required lot area per dwelling unit in the TR-U2 District being 350 square-feet compared to 750 square-feet with the TR-U1 District. On balance, staff believes that this part of the rezoning request can be found consistent with underlying Zoning, especially considering the underlying development concept is within the limits recommended for Medium Residential.

For the 755 Braxton Place parcel ('Site B' in the submitted plans), the applicant is also proposing TR-U2 (Traditional Residential-Urban 2) District zoning, which allows buildings up to six stories or 78 feet. For this parcel, the Comprehensive Plan and Triangle Monona Bay Plan both recommend 'High Residential' (noted as 4-12 stories). Staff believe the TR-U2 zoning recommendation could therefore be found consistent with adopted plans.

As noted in the preceding section, the division between the 201 and 301 S Park Street parcels (i.e. Sites 'C' and 'D') will be shifted south at some point in the future. This also matches the dividing line between two land use recommendations of the two plans. (See the image above).

For the 201 S Park Street parcel ('Site C' in the submitted plans), the applicant is proposing RMX (Regional Mixed-Use) District zoning, which, because the site is also located within the City's Transit-Oriented Development Overlay District, allows buildings 2-8 stories or 116 feet in height. For this parcel, the Comprehensive Plan and Triangle Monona Bay Plan both recommend 'High Residential' (noted as 4-12 stories). While a mixed-use district rather than purely residential, Staff believe that the RMX District could nevertheless be considered consistent. This is due to the fact that it would allow the Asian Midway Foods grocery store, a high-valued community asset, to not only stay within the redevelopment but remain nearby its current location. As stated in the submitted materials, one of the goals of the redevelopment is for residents to only move once (rather than having to move once from their home into temporary housing (almost certainly located outside of the Triangle) and then a second time when the new housing is finished). The same goes for the grocery store. The grocery store would be relocated just to the north of the current location, along S Park Street. Taking into account the construction sequencing and emphasis on not displacing any residents or businesses, in addition to the allowed building heights in the RMX District coupled with the TOD Overlay District, and the fact that aside from the presence of the grocery store, the development proposed on Site C is otherwise consistent with adopted plan recommendations, Staff believe the RMX zoning district could be found consistent with adopted plans.

For the 301 S Park Street parcel, ('Site D' in the submitted plans), the applicant is also proposing RMX Zoning, which again in the TOD Overlay District, allows buildings 2-8 stories or 116 feet in height. For this parcel, the Comprehensive Plan and Triangle Monona Bay Plan both recommend 'Community Mixed-Use' (CMU) development. However, while the Comprehensive Plan describes CMU as 2-8 stories in height, the Triangle Plan describes it as 8-12 stories. For the subject site, the Triangle Plan further recommends a 15ft stepback above 2nd or 3rd story. While the applicant's concept plan shows a residential-only building on the site, in communication with Planning Staff, they stated that are also considering a mixed-use building. Given the mixed-use recommendation coupled with the building heights (more would be allowed with conditional use approval), staff believe the RMX zoning could be found consistent with adopted plans for Site D.

The [Park Street Urban Design Guidelines](#) (2004) generally recommends pedestrian-oriented and scaled buildings located close to the street, two to four stories in height, that "respect, reinforce, and enhance" the surrounding block. While Staff note the age of the Park Street Plan and the increased building heights recommended by the subsequent plans (as noted above), Staff otherwise believe the proposal is consistent with this plan. Finally, the [Brittingham-Vilas Neighborhood Plan](#) (1989) does not provide specific recommendations for the subject sites.

Zoning Map Amendment Standards

Staff believes that the Zoning Map Amendment standards can be found met. These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the [Comprehensive Plan](#), and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) 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." As noted above, Staff believes that the project is consistent with the [Comprehensive Plan](#).

Public Input

At the time of report writing, staff has not received any comments on the proposed request.

Conclusion

The Planning Division believes that the standards for Zoning Map Amendments can be found met with this proposal. Taking into account the construction sequencing and emphasis on not displacing any residents or businesses, in addition to the allowed building heights in the TR-U2 and RMX districts (for the later, this includes the three-story height 'bump' of the TOD Overlay District), Staff believe the TR-U2 zoning on the 702 and 755 Braxton Place parcels and RMX zoning on the 201 and 301 S Park Street parcels could be found consistent with adopted plans.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00650 of the Madison General Ordinances to change the zoning of property located at 201-301 South Park Street from PD (Planned Development) District to RMX (Regional Mixed-Use) District; creating Section 28.022-00651 of the

Madison General Ordinances to change the zoning of property located at 702 Braxton Place from TR-U1 (Traditional Residential-Urban 1) District to TR-U2 (Traditional Residential-Urban 2) District; and creating Section 28.022-00652 of the Madison General Ordinances to change the zoning of property located at 755 Braxton Place from PD (Planned Development) District to TR-U2 (Traditional Residential-Urban 2) District to the Common Council with a recommendation of **approval**, to facilitate future redevelopment of CDA-owned parcels. This recommendation is subject to input at the public hearing, and the conditions from reviewing agencies that follow.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Engineering Review Main Office (Contact Timothy Troester, (608) 267-1995)

1. Informational Comment: Lot improvements with higher density rezoning will likely result in sanitary sewer improvements being required as a condition for individual lot development.
2. Note that future improvements to the right of way, will either require a City/Developer Agreement or Permit to Excavate in the Right of Way.

City Engineering Division – Mapping Section (Contact Julius Smith, (608) 264-9276)

3. Provide a full and complete legal description and exhibits of the site or property being subjected to this application.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

4. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the east side of South Park Street, north of West Washington Avenue (#0217).
5. The applicant shall install and maintain a new passenger waiting shelter with seating amenity - either as part of the private landscape plan or in the public right-of-way area - serving the curbside bus stop zone on the east side of South Park Street, north of West Washington Avenue. If located in the public right-of-way, the applicant shall submit a Privilege in Streets (Bus Shelter) application for review by the City. An approved Encroachment Agreement, for the bus shelter, shall be executed prior to sign off. Contact City Real Estate to start the Privilege in Streets (Bus Shelter) application process. (MGO 10.31)
6. The existing curbside bus stop zone and accessible pedestrian sidewalk and concrete boarding pad on the east side of South Park Street, north of West Washington Avenue, provides critical access to the City's transit operations, and any planned or permitted obstruction of the existing bus stop zones in excess of thirty (30) days may require additional right-of-way improvements and/or other mitigation measures in coordination with Traffic Engineering and Metro Transit staff - in order to create an alternate bus stop zone that would serve the South Park Street at West Washington Avenue intersection area in a comparable operational and accessible manner.
7. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

8. Metro Transit operates daily all-day transit service along South Park Street adjacent this property - with trips at least every 30 minutes. Additional daily all-day transit service operates along Regent Street adjacent this property - with trips at least every 60 minutes. The applicant shall update the "Community Connectivity" map diagram, to accurately show current Metro bus stop locations.
9. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 97 Weekday & 65 Weekend. Please contact Metro Transit if additional analysis would be of interest.

The Planning Division, Traffic Engineering, Parking, Fire Department, Zoning, Parks Division, Forestry Section, and Water Utility have reviewed this request and have recommended no conditions of approval.