



Report to the Plan Commission

August 17, 2009

Legistar I.D. #15122
8101-8119 Mayo Drive
Rezoning

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of a rezoning from PUD-GDP (Planned Unit Development-General Development Plan) to PUD-SIP (Planned Unit Development-Specific Implementation Plan) to construct 88 residential units in two multifamily buildings.

Applicable Regulations & Standards: Section 28.12 (9) provides the process for zoning map amendments. Section 28.07 (6) of the Zoning Ordinance provides the requirements and framework for Planned Unit Development Districts.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments and Planned Unit Developments can be met and forward the request to the September 1 meeting of the Common Council with a recommendation for **approval** to rezone 8101-8119 Mayo Drive from PUD-GDP to PUD-SIP, subject to input at the public hearing and conditions from reviewing agencies.

Background Information

Applicant/Property Owner: Rich Arneson; Stone House Development; 321 E. Main St. Madison WI
Project Contact: J. Randy Bruce; Knothe & Bruce Architects, LLC; 7601 University Ave.
Ste 201, Middleton, WI

Proposal: The applicant proposes a rezoning of two lots in "Midtown Center" from PUD-GDP (Planned Unit Development- General Development Plan) to PUD-SIP (Planned Unit Development- Specific Implementation Plan) in order to build two multifamily residential buildings, one with 42 units and one with 46 units. The applicant hopes to begin work in fall 2009 after all approvals are obtained.

Parcel Location: 8101 and 8119 Mayo Drive, Lot 3 and Lot 2 of the Midtown Center Plat respectively, are contiguous parcels 33,857 square feet (0.78-acres) and 34,800 square feet (0.80-acres) in size. They are located on the south side of Mayo Drive between Waldorf Boulevard and Carns Drive, north of Midtown Road; Aldermanic District 1 (Sanborn); Madison Metropolitan School District.

Existing Conditions: The site is undeveloped at this time and zoned PUD-GDP (Planned Unit Development-General Development Plan) as part of the Midtown Center Plat.

Surrounding Land Use and Zoning:

North: A four-story, 75-unit multifamily building constructed in 2005, zoned PUD-SIP (Planned Unit Development- Specific Implementation Plan).

South: Lots 4, 5, 6, and 7 of Midtown Center are undeveloped and zoned PUD-GDP for three-story mixed-use buildings on Lots 4 and 7, and three-story commercial buildings on Lots 5 and 6. The General Development Plan for these lots includes both underground and surface parking.

East: Two-story attached single-family homes constructed in 2002, zoned PUD-SIP (Planned Unit Development- Specific Implementation Plan).

West: Immediately to the west, Lot 1 of Midtown Center is currently undeveloped, but zoned PUD-GDP for a four-story mixed-use building with 6,000-14,500 square feet of commercial space and 46-52 dwelling units. Across Waldorf Boulevard to the west (outside of the Midtown Center Plat), an existing mixed-use building with 44 residential units and ground floor commercial space, and a two-story veterinary clinic.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Neighborhood Mixed Use for this area. The High Point-Raymond Neighborhood Development Plan, adopted in 1997 and amended in December 2001, recommends Flex Use / Mixed Use for this area as part of a “neighborhood town center” to include shopping, civic uses, and a mix of residential densities and housing types.

Environmental Corridor Status: This property is not located within a mapped environmental corridor.

Public Utilities and Services: The area is served by a full range of basic urban services, but not yet served by Metro Transit.

Zoning Summary:

Requirements	Required*	Proposed
Lot Area	49,650 sq. ft.	68,649 sq. ft.
Lot Width	50'	adequate
Usable Open Space	6,160 sq. ft.	6,808 sq. ft.
Front Yard	20'	9.6'
Side Yards	11' min.	13' LS / 50' RS
Rear Yard	30'	42'
Building Height	3 stories / 40'	4 stories / 46'

* Since this project is being proposed under PUD zoning, for which no predetermined bulk requirements apply, it is being reviewed based on criteria for the R5 District, because of the surrounding land uses.

No. Parking Stalls	42 garage – Bldg 1 47 garage – Bldg 2	105 total (42 under Bldg 1, 47 under Bldg 2, 16 surface)
Accessible Stalls	2 in each garage with 1 van accessible 1 surface (van accessible) 5 total	(See comment No. 4, p. 6)
Loading	2 (10' x 35') areas	2, provided in drive aisle
No. Bike Parking Stalls	88	70 total (30 underground, 40 surface) (See comment No. 7, p. 6)
Landscaping	Yes	(See comment No. 5, p. 6)
Lighting	Yes	(See comment No. 6, p. 6)

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark Building	No
Floodplain	No
Utility Easements	Yes
Waterfront Development	No
Adjacent to Park	No
Barrier Free (ILHR 69)	Yes

Prepared by: Pat Anderson, Asst. Zoning Administrator

Project Description

A rezoning from PUD-GDP (Planned Unit Development- General Development Plan) to PUD-SIP (Planned Unit Development- Specific Implementation Plan) is requested to allow the development of "Midtown Apartments", two multifamily residential buildings with a total of 88 units on two Lots 2 and 3 of Midtown Center. The extent of the proposed rezoning includes small portions of Lot 1 to the west, and Lots 4, 5, 6, and 7 to the south for the development of shared access driveways and some surface parking.

Existing Conditions- Midtown Center is currently an undeveloped 6.4-acre site with seven lots and one outlot, currently zoned PUD-GDP for residential, commercial, and mixed use buildings. On the site as a whole, the elevation drops by approximately 40 feet, sloping gradually and consistently downward from northeast to southwest. Lots 2 and 3 lie in the higher portion of the site in the northeast.

Previous Approvals- On April 17, 2007, the Common Council approved a preliminary and final plat and rezoning from PUD-GDP to Amended PUD-GDP for the "Midtown Center" subdivision, seven developable lots and one outlot bounded by Waldorf Boulevard, Midtown Road, Carns Drive, and Mayo Drive. The PUD-GDP for this property, recorded on April 17, 2008, specified multifamily residential, commercial, and mixed-use buildings with a mix of surface and underground parking on the developable lots, with commercial development generally focused along Midtown Road to the south and residential development focused toward Mayo Drive to the north. In the PUD-GDP, a four-story building with 40-48 residential units was approved for Lot 2, and a four-story building with 48-60 units was approved for Lot 3.

This proposed rezoning from PUD-GDP to PUD-SIP for a portion of "Midtown Center" was reviewed by the Urban Design Commission and received recommendations for initial approval on June 17, 2009 and for final approval on July 15, 2009 (see attached reports).

Site Plan Overview- Building 1, proposed on Lot 2, is an L-shaped, 4-story, 42-unit multifamily residential building oriented to Mayo Drive to the north. Building 2, proposed on Lot 3, is a slightly larger 4-story, 46-unit building oriented to both Mayo Drive to the north and Carns Drive to the east. Shared usable open space and a rain garden are provided behind the buildings to the south. Usable open space on the site includes 6,808 square feet between the two buildings, including grass and hardscaped areas.

Parking- A total of 105 automobile stalls (including 4 accessible stalls) and 70 bicycle stalls are proposed as part of this request. Underground parking for 89 automobiles and 30 bicycles is proposed between the two buildings. Surface parking for 16 automobiles and 40 bicycles is proposed on Lots 2 and 3, with the bicycle parking areas well-distributed throughout the site. An additional 12 surface parking stalls are shown as angled stalls just south of Lots 2 and 3, within the proposed PUD-SIP.

Access and Circulation- Access to the site is proposed as a combination of shared driveways among the lots of Midtown Center. Most tenants of Building 1 (on Lot 2) would likely utilize a proposed access driveway on the western portion of the proposed PUD-SIP, shared between Lots 1 and 2, which would lead to 9 surface parking stalls and the entrance to underground parking for that building. Tenants of Building 2 (on Lot 3) would likely enter the site from Carns Drive from the east on a driveway leading to the underground parking entrance. These two main access points are linked by an interior drive south of the proposed buildings, which has the 12 angled parking stalls and a small traffic calming circle proposed as part of this PUD-SIP, and would provide access to future buildings on Lots 4, 5, 6, and 7. A third access point from Mayo Drive is shared between Lots 2 and 3 and leads to a small central surface parking lot with 7 automobile stalls and 16 bike parking stalls.

Density and Unit Mix-The overall density for the two lots is 56 units per acre. Each building contains a mix of one and two bedroom units with interior entries from a shared hallway, and three bedroom townhomes, which have both interior and exterior entries. Units are distributed among the buildings as shown in the table to the right, for a total of 155 bedrooms overall.

Unit Type	Building 1	Building 2	Total Units	Total Bedrooms
1 BR	19	12	31	31
2 BR	19	28	47	94
3 BR	4	6	10	30
Total	42	46	88	155

Building Design- Both buildings are designed with underground parking, three full stories of residential units, and a slightly smaller fourth story with residential units. Common entrances to Building 1 include a western entrance to the underground parking area, a northern entrance to the first floor, and eastern and southern entrances to a common area incorporating offices and an exercise facility. These entrances all lead to stairs, an interior hallway and a central elevator, providing interior access to all units. Most first floor units also have direct entrances from the exterior of the building. Common entrances to Building 2 include northern and eastern entrances to the first floor, and an entrance next to the underground parking area on the west side of the building. Similar to Building 1, stairs and a central elevator provide access to all units via interior hallways, and most first floor units have additional direct entrances. The fourth floor of Building 1 includes a community room opening to a roof deck for use by tenants in both buildings. Detailed floor plans for the units have not been provided, but each has a usable balcony approximately 6 feet deep and 11 feet wide.

Exterior materials, similar for both buildings, include a base, and vertical columns of cast stone veneer, composite siding as a secondary material on middle and upper portions of the buildings, composite trim, and aluminum railings surrounding the outdoor balconies of each unit. In the July 8 submittal, recommended for final approval by the Urban Design Commission, the proportion of composite siding was increased on the “internal” elevations of both buildings, while remaining nearly the same on elevations facing Waldorf Boulevard, Mayo Drive, and Carns Drive. In response to earlier requests by the UDC, the number of vertical cast stone columns was reduced, and attractive transom windows were incorporated above many of the doors and windows, providing a greater variety among the openings.

Landscaping- The proposed landscape plan incorporates a relatively dense mix of deciduous and evergreen shrubs, perennial grasses, and groundcovers around the foundations of both buildings. Eleven deciduous trees are distributed throughout the site. While the majority of stormwater management for the Midtown Center subdivision will likely occur in Outlot 1 southwest of the proposed project, a central rain garden is proposed for additional stormwater infiltration.

Evaluation and Conclusion

Consistency with Adopted Plans-The proposed PUD-SIP very closely represents the approved and recorded PUD-GDP for Midtown Center, which in turn provides for a relatively intense mixed-use center consistent with adopted city plans for the site. On Lots 2 and 3, the PUD-GDP provided for a range of 88-108 residential units in two four-story buildings, 78 underground parking stalls, and 24 surface parking stalls. Residents in these buildings would likely support the future implementation of the remainder of Midtown Center with mixed-use and commercial buildings, which would be easily accessible on foot by many residents in the greater Midtown Commons area. Due to the removal of a row of parking spaces from the small surface lot between the two buildings, the PUD-SIP departs slightly from the approved PUD-GDP in that fewer surface parking stalls are proposed.

Housing Choice-“Midtown Apartments” as proposed includes a mix of one, two, and three-bedroom affordable rental units suitable for a range of household sizes and types. Importantly, the proposal provides a new opportunity for income-qualified households with few existing housing options within the Midtown Commons area as a whole. The area is distant from transit service and most major employment areas, increasing the likelihood that tenants may have automobiles by necessity.

However, the nearby open spaces, a new daycare facility, and some planned retail and employment uses provide very attractive surroundings for some potential tenant households.

Site and Building Design-The proposal has received recommendations for both initial and final approval from the Urban Design Commission (see attached reports). Buildings are very well-oriented to Mayo Drive and Carns Drive, with the massing of each building most prominent at the northwest and northeast corners, respectively. Articulation with building entrances, small balconies, and a variation in materials provide interest and opportunities for “eyes on the street”, particularly along the two street frontages.

Parking for both automobiles and bicycles is well-distributed throughout the site. From a design perspective, the potential negative effects of parking areas have been effectively minimized, not only because of the high proportion of underground stalls (85% of the proposed stalls are underground), but also due to the interior location of garage doors leading to the underground parking. 18 additional bicycle parking stalls (exterior, interior, or both) will be required so that there is at least one code-compliant stall per dwelling unit. The applicant has indicated to the Urban Design Commission a willingness to explore the incorporation of interior “bicycle hangars” within the underground parking area. While these cannot count toward the total number for code compliance, they are strongly encouraged, as in many cases, households may have multiple bicycles and a need for additional storage.

Usable open space is centered between the two buildings, and exceeds that which would be required in the R5 Zoning District (without accounting for the roof deck on Building 1, which would be accessible to all tenants). In addition, Waldorf Park lies just to the northwest of this site, providing a larger open space within close walking distance.

Buildings are well-designed and articulated, with individual exterior entrances for many of the units, as well as entrances from an interior hallway accessed by shared exterior entrances at grade or by elevators from underground parking areas. Each unit has a small outdoor deck, although detailed floor plans have not been provided to indicate how the decks relate to the unit layout. Exterior materials are durable and of high-quality, including stone, composite siding, and metal accents generally consistent with much of the development in Midtown Commons thus far.

Public Input-A neighborhood meeting with five attendees was held on the evening of August 6, 2009. The applicant indicated that there was some concern expressed at the meeting about a perceived low amount of parking, as well as the lack of transit service in the area to serve additional residents. Metro Transit staff has indicated that it is not feasible to serve this peripheral area under the current fiscal situation, but that with approval of RTA legislation, this is the type of service that should be considered as part of the improvements to be addressed by an RTA. The Alder, who attended the meeting, indicated that there is no known opposition to the proposal at this time.

Conclusion-The proposed PUD-SIP follows the approved and recorded PUD-GDP for Midtown Center very closely, and is consistent with adopted plans for the area. Planning Division staff believes that the proposed Midtown Apartments will provide a variety of housing opportunities and attractive common spaces for tenants, and at the same time, support the future development of additional mixed-use and commercial buildings immediately to the south.

The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments and planned unit developments can be met and forward the request to the September 1 meeting of the Common Council with a recommendation for **approval** to rezone 8101-8119 Mayo Drive from PUD-GDP to PUD-SIP, subject to input at the public hearing and conditions submitted by reviewing agencies.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the standards for zoning map amendments and planned unit developments can be met and forward the request to the September 1 meeting of the Common Council with a recommendation for **approval** to rezone 8101-8119 Mayo Drive from PUD-GDP to PUD-SIP, subject to input at the public hearing and the following conditions submitted by reviewing agencies:

Planning Division (Heather Stouder, 266-5974)

1. The proposed zoning text shall be revised so that Section L, "Maintenance of Traffic Measures", is relevant to the PUD-SIP, rather than the PUD-GDP.
2. Final plans submitted by the applicant for approval by staff will include a revised bicycle parking plan for review by city staff with a total of at least 88 code-compliant bicycle parking stalls. Additional bicycle storage provision in the form of bicycle hangars within the underground parking area is acceptable, but should be identified on final plans.
3. Final plans submitted by the applicant will include complete elevations noting all exterior materials.

Zoning Administrator (Contact Pat Anderson, 266-5978)

4. Meet all applicable State accessibility requirements, including but not limited to:
 - a) Provide a minimum of two accessible stalls striped per State requirements in the parking garages with one van accessible stall striped per State requirements in the surface lot. A minimum of one of the surface stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent. Note: the accessible garage parking stalls shall have a minimum of a 5' striped out area adjacent to them.
 - b) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance (or elevator) as possible. Show ramps, curbs, or wheel stops where required.
5. For 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. All plant materials in islands shall be protected from vehicles by concrete curbs.
6. Lighting is required for this project. Provide a plan showing at least .25 footcandle on any surface of the lot and an average of .75 footcandles (see City of Madison lighting ordinance).
7. Provide 88 bike parking stalls in safe and convenient locations on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the locations. Note: A bike-parking stall is two

feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

8. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
9. Provide correct scale on site plan. Scale is listed as 1"=40', but plans submitted are drawn to 1"=20'.

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

10. Any damage to street pavement shall require restoration in accordance with the City's patching criteria.
11. Proposed storm discharge cannot be approved unless there is a private joint stormwater agreement in place.
12. Sanitary sewer improvements do not appear to be within the sanitary sewer easement limits. Revise plan so that the proposed sanitary sewer is within the easement limits or submit new easement description.
13. Applicant shall submit a recorded ownership/maintenance agreement for the private sanitary sewer main serving these two lot developments.
14. If this rezoning is approved and granted, in accordance with 10.34 MGO – STREET NUMBERS, submit a PDF of all floor plans to Engineering Mapping, Lori Zenchenko (Lzenchenko@cityofmadison.com) so that an 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.

15. This development is subject to impact fees for the Upper Badger Mill Creek Impact Fee District. All impact fees are due and payable at the time building permits are issued.

The following note shall be placed on the plans:

LOTS / BUILDINGS WITHIN THIS DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

16. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
17. All work in the public right-of-way shall be performed by a City licensed contractor.
18. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.

If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.

20. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:

- a) Control 80% TSS (5 micron particle) off of new paved surfaces
- b) Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
- c) Provide substantial thermal control
- d) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.

21. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) All Underlying Lot lines or parcel lines if unplatted
- g) Lot numbers or the words “unplatted”
- h) Lot/Plat dimensions
- i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

22. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including planting plans).

23. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD etc.
- d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

24. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

25. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), types of surfaces, and a scaled drawing at 1"=40'.
26. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

Water Utility (Contact Dennis Cawley, 261-9243)

27. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
28. This property is not in a Wellhead Protection District.

Parks Divison (Contact Tom Maglio, 266-6518)

29. The developer shall pay approximately \$175,388.40 for park dedication and development fees for the 88 new multifamily units:

fees in lieu of dedication = (88 units X \$1,407 per unit) =	\$ 123,816.00
<u>park development fees = (88 units X \$586.05 per unit) =</u>	<u>\$ 51,572.40</u>
total fees =	\$ 175,388.40

30. The developer must select a method for payment of park fees before signoff on the rezoning.
31. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816

Fire Department (Contact Scott Strassburg, 261-9843)

This agency submitted a response with no conditions, indicating that the fire access plan provided in submittal appears to be code compliant as submitted.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency submitted a response with no conditions, but noted that while it is difficult to serve an area on the periphery of the city under the current funding situation, this is the type of service that should be considered as part of the improvements to be addressed by a Regional Transportation Authority (RTA), pending approval of legislation supporting an RTA.