



## Report to the Plan Commission

March 4, 2009

Legistar I.D. #13432  
9202 Silverstone Lane  
PUD-GDP-SIP Amendment

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

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**Requested Action:** Approval of a request a major alteration to an approved Planned Unit Development General Development Plan/ Specific Implementation Plan to allow 20 townhouse condominiums in 5 buildings to be converted into 20 garden apartments in 5 buildings located at 9202 Silverstone Lane.

**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 Developments.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission recommend **approval** of Zoning Map Amendment ID 3415 & 3416, rezoning 9202 Silverstone Lane from PUD-SIP to Amended PUD-GDP-SIP, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

### Background Information

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**Applicant & Property Owner:** Tim McKenzie, B & H Madison, LLC; 1910 Hawks Ridge Drive; Madison.

**Agent/ Contact:** J. Randy Bruce, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

**Proposal:** The applicant wishes to amend the approved PUD-SIP for this site to allow 20 townhouse condominiums in 5 buildings to be converted into 20 garden apartments in 5 buildings. The applicant wishes to commence construction of these units in Spring 2009, with completion anticipated in 2010.

**Parcel Location:** Approximately 1.65 acres located along the north side of Silverstone Lane west of Hawks Ridge Drive and one block south of Mid Town Road; Aldermanic District 1; Madison Metropolitan School District.

**Existing Conditions:** The subject site is currently undeveloped.

### Surrounding Land Use and Zoning:

North: Buildings #1-4 of Aspen Hill apartments in this PUD-SIP;

South: Single-family lots in the Hawks Ridge Estates subdivision, zoned R1 (Single-Family Residence District); University Ridge Golf Course, zoned A (Agriculture);

East: Single-family lots in the Hawks Ridge Estates, zoned R1; an undeveloped parcel for future multi-family development, zoned R5 (General Residence District);

West: Planned single- and two-family residences and future multi-family residences in the approved Hawk's Ridge development, zoned (unrecorded) PUD-GDP & PUD-SIP.

**Adopted Land Use Plan:** The Midtown Neighborhood Development Plan recommends the site for medium-density residential uses.

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

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

**Zoning Summary:** The site is currently zoned PUD-SIP. The proposed amendment, including any changes to the zoning text, will be reviewed in the following sections.

## Previous Approvals

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October 3, 2006 meeting, the Common Council approved a request to rezone 6.4 acres located at 9201 Mid Town Road from R5 (General Residence District) to PUD-GDP-SIP to allow construction of 156 apartment units and a clubhouse in four buildings and five four-unit townhouse buildings.

The 6.4-acre PUD is part of a larger zoning map amendment approved by the Common Council on October 18, 2005, which rezoned 24.5 acres generally located at 9201 Mid Town Road from Temp. A to R1 and R5 as well as approved a demolition permit to allow demolition of a farmhouse and the preliminary plat of Hawks Ridge Estates, creating 33 single-family lots, two lots for future multi-family development and one outlot for public stormwater detention. The Common Council approved the final plat of Hawks Ridge Estates on March 21, 2006.

## Project Analysis & Conclusion

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The applicant is requesting a major alteration to an approved specific implementation plan to allow 20 garden apartment units to be constructed in 5 buildings on an undeveloped 1.63-acre parcel located one block south of Mid Town Road on the north side of Silverstone Lane west of Hawks Ridge Drive. The 20 units garden-apartment units will replace 20 townhouse condominium units in 5 buildings previously approved to occupy the subject site in 2006. The subject site is part of a larger planned unit development that also includes a 4.6-acre site, which fronts Mid Town Road and is developed with a 4-building, 156-unit apartment complex and central clubhouse. Construction of the 156-unit apartment project began in 2007 and is ongoing, with 2 of the 4 buildings and central clubhouse completed and the remaining 2 buildings underway.

The 5 condominium buildings previously approved to occupy the subject site called for 4 two-bedroom, 2.5-bath townhouse units in each two-story building. Each townhouse included an individual entrance from the Silverstone Lane sidewalk and an attached two-car garage along the rear wall with access provided by a network of driveways shared with the 156-unit apartment complex. A minimum 20-foot setback was proposed from both Silverstone Lane and Hawks Ridge Drive.

The 20 garden apartments proposed with the requested amendment will occupy approximately the same footprints as the townhouse buildings previously approved for the site, including maintaining the 20-foot minimum setback from Silverstone Lane and Hawks Ridge Drive previously shown. However, the floor area of the 5 apartment buildings proposed will be slightly decreased by approximately 280 square feet from 5,696 square feet for the condominium buildings to 5,411 square feet with the proposed garden apartment buildings. The unit mix will also change with the proposed amendment to include a combination of two-bedroom, two-bath units on the first floor and one-bedroom units with a

den and 1.5 baths on the second floor. All of the units will continue to have attached two garages along the northerly wall, but only the first floor units proposed to have direct access from the Silverstone Lane sidewalk, with all but one of the second floor units proposed to have exterior access from a recessed entry located along the side walls of the buildings. (The exterior entrance to the eastern second floor unit of Building 5 will be accessible from the Hawks Ridge Drive sidewalk). A combination of split-face block, brick veneer and horizontal siding will comprise the exterior of the garden apartment buildings, which will also primarily feature hip roofs. A minimum of one porch or balcony is proposed to serve each of the 20 units proposed.

At the time the original PUD-GDP-SIP was approved for this site and adjacent apartment complex, 3 of the 20 condominium units on the subject site were identified as inclusionary dwelling units and were subjected to a Land Use Restriction Agreement (LURA) under the Inclusionary Zoning ordinance prior to the recording of the PUD. Because the proposed amendment would be approved following the sunset of the Inclusionary Zoning ordinance on January 2, 2009 and the project calls for the creation of rental units on this parcel, there are no inclusionary zoning requirements on this site. Staff recommends, however, that a release of the LURA on this property be recorded to clear the land record.

In reviewing the proposed amended PUD-GDP-SIP, the Planning Division believes that the project can meet the standards for approval for planned unit developments. While the project represents a minor increase in the number of rental apartment units in the surrounding neighborhood and a slight decrease in unit floor area from previously when the 20 units on the subject site were to be owner-occupied, staff feels that the garden apartment project proposed is well designed and calls for generously sized rental units. The proposed garden apartment buildings will relate somewhat less to Silverstone Lane than their townhouse predecessors due to their being fewer entrances directly facing the sidewalk. However, staff believes that the proposed buildings should still form an appropriate street wall opposite the single-family residences being built on the south side of Silverstone Lane, though staff proposes to carry forward a condition of approval from the existing PUD for this site requiring that the front facades of the five buildings be individually varied using any combination of varied roof designs, building material colors and window and door styles or locations to provide a more diverse street wall.

#### Recommendations and Proposed Conditions of Approval

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 Zoning Map Amendment ID 3415-3416, rezoning 9202 Silverstone Lane from PUD-SIP to Amended PUD-GDP-SIP, with a recommendation of **approval** subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That the front, southern facades of the five four-unit garden apartment buildings be individually varied using any combination of varied roof designs, building material colors and window and door styles or locations per Planning Division approval to provide a more diverse street wall along Silverstone Lane.
2. That the entry porches for the first floor units be increased in depth to a minimum of 6 feet to provide an enhanced front entrance feature per Planning Division approval.

3. That a release of the Land Use Restriction Agreement on this property be recorded to clear the land record.

The following conditions have been submitted by reviewing agencies:

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

4. Prior PUD site plan approval from December 2006 identified the four-unit Condo Building #5 – Style A, which had all unit front doors and access approved and addressed to Silverstone Lane. This proposed four-unit Apartment Building #5 now identifies the furthest east unit front door and access to Hawks Ridge Drive. As a result, the previously approved address of 9204 Silverstone Lane for this unit is hereby changed to 1934 Hawks Ridge Drive.
5. A City licensed contractor shall perform all work in the public right of way.
6. 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.
7. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: 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.
8. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
9. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
10. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
11. The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
12. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

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

13. 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), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.
14. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead end for 1902 Hawks Ridge Drive. The eliminated stall shall be modified to provide a turn around area 10-12 feet in width and signed "No Parking Anytime."
15. 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)

16. Within 10 feet from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2 feet in height for vision clearance.
17. Provide one bike parking stall for each apartment 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 2' by 6' with a 5-foot access area.
18. If outdoor lighting is provided, it must comply with City of Madison outdoor lighting standards.
19. Identify useable open space areas and area calculations on final plans.

**Parks Division** (Contact Tom Maglio, 266-4711)

20. It does not appear that the developer paid park fees for this part of the PUD in 2006. Therefore, the developer shall pay \$39,861.00 for park dedication and development fees for 20 multi family units. The park Fees shall be paid prior the issuance of building permits.

Park Dedication required for the multi-family units = 20 units at 700 square feet per unit = 14,000 square feet. The Fee in Lieu of Dedication is based on current property values up to \$2.01 per square foot for 2009 = \$28,140.00. Park development fees = 20 units at \$586.05 = \$ 11,721.00 = \$39,861.00.

**Fire Department** (Contact Bill Sullivan, 261-9658)

This agency did not submit comments for this request.

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

This agency submitted a response with no conditions of approval for this request.

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**Metro Transit** (Contact Tim Sobota, 261-4289)  
This agency did not submit comments for this request.