

PLANNING DIVISION STAFF REPORT

DECEMBER 9, 2015 URBAN DESIGN COMMISSION

JANUARY 11, 2016 PLAN COMMISSION



Project Address: 1917 Lake Point Drive

Application Type: Zoning Map Amendment, Demolition Permit and Conditional Use

Legistar File ID # [40393](#) and [40667](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Jay Wendt, Planning Division
Natalie Erdman, Director, Dept. of Planning and Community & Economic Development

Summary

Applicant: David Porterfield, Movin' Out, Inc.; 206 E. Olin Avenue; Madison.

Agent: Jim Glueck, Glueck Architects; 116 N. Few Street; Madison.

Property Owners: City of Madison Community Development Authority and Economic Development Division.

Requested Actions: Approval of a request to rezone property generally addressed as 1917 Lake Point Drive from TR-V1 (Traditional Residential–Varied 1 District) to TR-U1 (Traditional Residential–Urban 1 District) and approval of a demolition permit and conditional use to allow a neighborhood center to be demolished and 2 townhouse buildings containing 12 total units to be constructed.

Proposal Summary: The applicant wishes to demolish an 8-unit apartment building that houses the existing Bridge-Lake Point-Waunona Neighborhood Center and construct 2 townhouse buildings that will contain 12 units. The applicant is seeking affordable housing tax credits for the proposed residential development and a related mixed-use building at 2230 W. Broadway (ID [40590](#)) from the Wisconsin Housing & Economic Development Authority. The applicant is currently negotiating with the neighborhood and neighborhood center regarding relocation of the center to the first floor commercial space in the mixed-use building. If awarded the desired tax credits, the applicant proposes to commence construction of the W. Broadway mixed-use building in fall 2016, with completion anticipated by the fall of 2017, at which time the neighborhood center on the subject site would be razed. The proposed townhouse buildings would be completed within 24 months of conditional use approval.

Applicable Regulations & Standards Section 28.182 of the Zoning Code provides the process for zoning map amendments. Table 28C-1 in Section 28.032(1) of the Zoning Code identifies residential building complexes as a conditional use in TR-U1 (Traditional Residential–Urban 1 District) zoning subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits. Review by the Urban Design Commission is required per Section 33.24(4)(c) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission, Plan Commission and Common Council (for the rezoning).

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022–00205, rezoning property generally addressed as 1917 Lake Point Drive from TR-V1 to TR-U1, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional use–residential building complex to allow demolition of a

neighborhood center and construction of 12 townhouse units in 2 buildings following a recommendation by the Urban Design Commission, and subject to input at the public hearing, and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: An approximately 0.87-acre parcel extending along the east side of Hoboken Road from Lake Point Drive on the north to W. Broadway on the south; Aldermanic District 14 (Carter); Madison Metropolitan School District.

Existing Conditions and Land Use: The northern third of the site is developed with a two-story, 8-unit apartment building that was converted to house the neighborhood center. The southern two-thirds of the site are undeveloped. The entire site is zoned TR-V1 (Traditional Residential–Varied 1 District)

Surrounding Land Uses and Zoning:

North: Bridge-Lake Point-Waunona Neighborhood Center daycare, multi-family residences on individual parcels, all zoned TR-V1 (Traditional Residential–Varied 1 District);

South: South Towne Mall commercial complex, Dane County Housing Authority in the City of Monona;

West: Single- and two-family residences along Lake Point Drive, zoned TR-V1; 32-unit apartment building, zoned SR-V2 (Suburban Residential–Varied 2 District);

East: Lake Point Condominiums, zoned PD; multi-family residences on individual parcels, zoned TR-V1.

Adopted Land Use Plans: The Comprehensive Plan recommends the subject site and multi-family properties to the east along Lake Point Drive and W. Broadway for High-Density Residential uses.

The 1986 Broadway-Simpson-Waunona Neighborhood Plan recommends the subject site and multi-family properties to the east way for medium-high density residential uses to be developed at a density of 26-40 units an acre.

Zoning Summary: The subject property will be zoned TR-U1 (Traditional Residential–Urban 1 District):

Requirements	Required	Proposed
Lot Area	1,000 sq. ft. per dwelling unit	38,070 sq. ft. (existing)
Lot Width	20' per dwelling unit	50'
Front Yard	15' (Hoboken Road)	Will comply
Maximum Front Yard	No more than 20% greater than block average, up to 30' maximum	Will comply
Side Yard	8' for end units	Will comply
Reverse Corner Side Yard Setback	12'	Will comply
Rear Yard	Lesser of 25% of lot depth or 20'	Will comply
Maximum Lot Coverage	75%	64.6%
Usable Open Space (per unit)	320 sq. ft. per d. u. (3,840 sq. ft)	5,462 sq. ft.
Maximum Building Height	3 stories, 40'	2 stories
Building Form	Single-Family Attached Building	Complies with requirements
Number Parking Stalls	1 per dwelling (12)	20

Requirements	Required	Proposed
Accessible Stalls	Yes	0
Number Bike Parking Stalls	1 per unit up to 2-bedrooms, half space per add. bedroom (18); 1 short term guest space per 10 units (2)	12 on site, 12 in garages; (See conditions)
Other Critical Zoning Items		
Yes:	Urban Design (Residential Building Complex), Barrier Free, Utility Easements	
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development	
<i>Prepared by: Tim Parks, Planning Division</i>		

Environmental Corridor Status: The property is not located in a mapped environmental corridor (see CARPC Map F10).

Public Utilities and Services: The site is served by a full range of urban services, including seven-day Metro Transit service.

Project Description

The applicant is requesting approval of a request to rezone a 0.87-acre site from TR-V1 to TR-U1 to allow construction of 2 townhouse (single-family attached) buildings containing 12 total dwelling units following the demolition of the converted two-story apartment building that houses the Bridge-Lake Point-Waunona Neighborhood Center. The subject site extends along the east side of Hoboken Road from Lake Point Drive on the north to W. Broadway on the south. The northern third of the site is developed with a two-story, 8-unit apartment building constructed in 1964, which was converted into the neighborhood center around 2000, while the southern two-thirds of the site are undeveloped save for a playground adjacent to the center.

The proposed townhouse buildings will be located on the western half of the subject site, with front doors to face Hoboken Road. Each of the 12 townhouses proposed will be 2 stories tall and contain 3 bedrooms, including 1 bedroom to be located on the ground floor. Parking for the units will be provided in 2 six-car detached garages that will be located along the eastern, rear property line of the subject site. A surface parking lot for 8 autos will be located between the 2 garages. Vehicular access to the site will be provided by a single driveway from Lake Point Drive; no vehicular access to W. Broadway is proposed. The proposed townhouse buildings and detached garages will be clad with a combination of horizontal and vertical composite siding, with hipped roofs. All of the units will have covered front porches.

The applicant is seeking affordable housing tax credits for the proposed townhouse development and a related mixed-use building at 2230 W. Broadway from the Wisconsin Housing & Economic Development Authority. The applicant is currently negotiating with the neighborhood and neighborhood center regarding relocation of the center to the first floor 14,000 square-foot commercial space in the mixed-use building. If awarded the desired tax credits, the applicant proposes to commence construction of the W. Broadway mixed-use building in fall 2016, with completion anticipated by the fall of 2017, at which time the neighborhood center on the subject site would be razed. The applicant has indicated to staff that the subject development will not proceed unless the W. Broadway project proceeds, including relocation of the neighborhood center.

Analysis and Conclusion

Single-family attached housing is not allowed in the existing TR-V1 zoning district, hence requiring that the property be rezoned. The Planning Division believes that the Plan Commission can find the standards met to allow the demolition of the residential/ institutional building, rezoning of the property to the TR-U1 district, and construction of the townhouse buildings. Staff believes that the development is generally consistent with the High-Density Residential land use recommended for the site by the Comprehensive Plan and the medium-high density residential uses (26-40 units an acre) recommended by the 1986 Broadway-Simpson-Waunona Neighborhood Plan. The proposed 13.8-unit per acre density of the townhouse project is well below the residential density recommended for the site but is consistent with the building forms generally recommended in that use classification. The proposed development should result in an attractive addition to the neighborhood, which has been the subject of considerable public and private reinvestment over the last 2 decades.

The Planning Division believes that the conditional use standards and supplemental regulations can be met for the proposed residential building complex. A residential building complex is defined as “a group of two or more residential buildings on a single parcel or tract of land, developed under single ownership and common management.” The supplemental regulations for a residential building complex (as applicable in the TR-U1 zoning district) are:

- (a) Recreational areas may be required to serve the needs of the anticipated population.
- (b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
- (c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.
- (d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (g) Shall be reviewed by the UDC pursuant to Sec. 33.24(4)(c), MGO.
- (h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- (i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.

The proposed buildings also meet the requirements in the Zoning Code for single-family attached/ townhouse/ rowhouse buildings, which is defined a linear group of horizontally attached dwellings, each having a private entrance and totally exposed front and rear walls to be used for access, light and ventilation. Such buildings may be oriented to and shall have entries from the street or to a central green or courtyard, with a stoop or porch or a common green or courtyard oriented toward the primary street required. Parking, loading and trash disposal may be accessed from an alley or common side yard driveway serving one or more buildings. Single-family attached buildings facing a public street shall be comprised of individual units, articulated vertically to create visual interest and continuity, with divisions or breaks in materials, entry placement, window bays or other architectural details shall be used to delineate individual units. Windows are required on the sides of the last unit.

Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022–00205, rezoning property generally addressed as 1917 Lake Point Drive from TR-V1 to TR-U1, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional use–residential building complex to allow demolition of a neighborhood center and construction of 12 townhouse units in 2 buildings following a recommendation by the Urban Design Commission, and subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

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

City Engineering Division (Contact Tim Troester, 267-1995)

1. Prior to final approval of the demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer and/ or storm sewer lateral that serves a building that is proposed for demolition. Prior to approval, the owner or owner’s representative shall obtain a permit to plug each existing lateral that serves a building which is proposed for demolition. For each lateral to be plugged, the owner shall complete a sewer lateral plugging application and pay the applicable permit fees.
2. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
3. 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.
4. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
5. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted “unplatted lands” if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not

need to be supplied or reviewed. The party responsible for the CAD file e-mail transmission shall include the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.

6. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: 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) Lot lines or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
7. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
8. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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 5.0-tons per acre per year.
9. For commercial sites less than 1 acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Wisconsin Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than 1 acre, and contains a commercial building, 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.
10. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office.
11. 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 MGO.
12. The applicant shall provide the City Engineer with the proposed earth retention system to accommodate the restoration. The earth retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system
13. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
14. All work in the public right of way shall be performed by a City-licensed contractor.

15. All damage to the pavement on W. Broadway, Hoboken Road and Lake Point Drive adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

16. The addresses of the new townhouses are: North building: 5340/ 5342/ 5344/ 5346/ 5348/ 5350 Hoboken Road; South building: 5354/ 5356/ 5358/ 5360/ 5362/ 5364 Hoboken Road.
17. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
18. The proposed new building will cross several underlying platted lot lines. Current City enforcement of Building and Fire codes and requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM and required supporting information shall be prepared and submitted to the City of Madison Planning Department. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
19. Provide a recorded copy of the easement/agreement allowing the encroaching driveway that currently exists over the southeasterly side of this site. If one does not currently exist, an agreement shall be drafted, executed and recorded at the Dane County Register of Deeds Office and referenced on the required Certified Survey Map.
20. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat and shall include a full and complete legal description of the site or property being subjected to this application.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

21. Broadway is a heavily used arterial street. The development is likely to increase pedestrians desiring to cross Broadway. The applicant shall understand that the existing traffic signal located at Hoboken and Broadway is the highest order control possible to assist pedestrians in crossing Broadway and that additional improvements are not likely.
22. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
23. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
24. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.

25. All parking facility design shall conform to the standards in MGO Section 10.08(6).
26. Note: As of October 2, 2015, Traffic Engineering will no longer be accepting paper plans; to ensure a timely review, all submittals shall include an electronic copy (PDF preferred).

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

27. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
28. Provide landscape plans pursuant to Sec. 28.142, Landscape Plan and Design Standards. The plans should include but are not limited to: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect. Screening shall be provided alongside and rear property boundaries between commercial, mixed-use or industrial districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between 6 and 8 feet in height. The height of screening shall be measured from natural or approved grade.
29. Bike parking shall comply with MGO Section 28.141(4)(g), Table 28I-3: Provide the required minimum bike parking stalls in a safe and convenient location on an impervious surface on the final plan. Note: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Provide details of the bike racks to be used on final plan sets. The bike parking plan for the project shall be approved by the Zoning Administrator.
30. Provide a detail of the trash enclosures. The enclosure area shall be screened on four sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of 6 feet and not greater than 8 feet.
31. Provide detailed building elevations of the attached townhouse buildings and garages, including building materials and colors.
32. Show the height of the garages on the elevations. Per Sections 28.131(1)(c) and 28.134(1)(a), the maximum height of the accessory buildings (garages) is 15 feet measured from the average elevation of the approved grade at the front of the building to the midpoint of the ridge of the gable roof. The average height shall be calculated by using the highest ridge and its attendant eave. The eave point used shall be where the roof line crosses the side wall.
33. Exterior lighting shall be in accordance with MGO Section 10.085. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.

Fire Department (Contact Bill Sullivan, 261-9658)

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 261-9243)

34. The Madison Water Utility shall be notified to remove the water meters prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Section 13.21.

Metro Transit (Contact Tim Sobota, 261-4289)

35. The applicant shall maintain or replace the existing concrete boarding pad on the east side of Hoboken Road, north of W. Broadway (shown in terrace on plan sheets). 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 and approve the design.

Parks Division (Contact Janet Schmidt, 261-9688)

36. Park impact fees (comprised of the Park Development Impact Fee per MGO Sec. 20.08(2) and the Parkland Impact Fee in lieu of land dedication per MGO Sec. 16.23(8)(f) and 20.08(6)) will be required for all new residential development. The developer must select a method for payment of park fees before signoff on the development. This development is within the Olin Turville Impact fee district (SI28). Please reference ID# 15158 when contacting Parks Division staff about this project.

37. City Forestry will permit the removal of the 10" Ash tree, second tree from the Hoboken Road intersection, on Lake Point Drive, for the new driveway location. The contractor shall contact City Forestry at least one week prior to construction, to obtain a tree removal permit.

38. Additional street trees are needed for this project. All street tree planting locations and trees species with the right of way shall be reviewed by City Forestry. Please submit a site plan (in PDF format) to Dean Kahl – dkahl@cityofmadison.com or 266-4816. Approval and permitting of tree planting shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. Tree planting specifications can be found in Section 209 of *City of Madison Standard Specifications for Public Works Construction*.

39. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*.