

## PLANNING DIVISION STAFF REPORT

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MARCH 8, 2017 URBAN DESIGN COMMISSION

MARCH 20, 2017 PLAN COMMISSION



**Project Address:** 5501 Spring Tide Way

**Application Type:** Conditional Use

**Legistar File ID #** [45803](#)

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

### Summary

**Applicants:** Grosse, Hanzel & Simons; 6650 University Avenue; Middleton.

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

**Property Owner:** D & R Investment II, LLC; 7813 Cobblestone Circle; Middleton.

**Requested Actions:** Approval of a conditional use for a residential building complex with 170 apartment units in four buildings on land generally addressed as 5501 Spring Tide Way.

**Proposal Summary:** The applicant is requesting approval of a residential building complex on Lot 520 of the Village of Autumn Lake (Replat) residential subdivision. The apartment complex will include a total of 170 apartment units located in four buildings. A clubhouse and pool serving the complex is proposed east of the subject site across Willow Rock Road on Lot 564, which is addressed as 1704 Autumn Lake Parkway. [A conditional use for Lot 564 will be considered at the April 3, 2017 Plan Commission meeting (ID [46114](#)).] Parking for the Lot 520 development will be provided in 180 underground parking stalls, 80 surface parking stalls and 188 bike parking stalls. Construction of the apartment development on Lots 520 and 564 will occur in phases beginning in June 2017, with completion anticipated in August 2021.

**Applicable Regulations & Standards** Table 28C-1 in Section 28.032(1) of the Zoning Code identifies residential building complexes as a conditional use in TR-P (Traditional Residential–Planned District) zoning subject to supplemental regulations in Section 28.151. Section 28.053(4)(b) requires conditional use approval for building heights exceeding the maximum allowed. Section 28.183 provides the process and standards for the approval of conditional use 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 and Plan Commission.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use–residential building complex to allow construction of 170 apartment units in four 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 5 of this report.

### Background Information

**Parcel Location:** An approximately 4.9-acre block on the southern edge of the Village at Autumn Lake development bounded on the south by Lien Road, on the west by future City View Drive, on the north by Spring Tide Way, and on the east by Willow Rock Road; Aldermanic District 17 (Baldeh); Sun Prairie Area School District.

**Existing Conditions and Land Use:** Undeveloped land, zoned TR-P (Traditional Residential–Planned District).

**Surrounding Land Uses and Zoning:**

**North:** Future single-family detached and attached residences in the Village at Autumn Lake subdivision, zoned TR-P (Traditional Residential–Planned District);

**South:** Undeveloped land south of Lien Road in the Town of Burke;

**West:** United Brick & Tile, zoned IL (Industrial–Limited District) and Copart Salvage & Auto Auctions, zoned A (Agricultural District);

**East:** Future private pocket park north of Summer Shine Drive, future multi-family residences, pool, clubhouse and future phase mixed-use building between Summer Shine and Lien Road, zoned TR-P.

**Adopted Land Use Plans:** The [Comprehensive Plan](#) recommends the subject site for Medium-Density Residential uses at a density of 16-40 units per acre. The larger Village at Autumn Lake development is also identified as a Transit-Oriented Development.

**Adopted Land Use Plan:** The 2002 [Felland Neighborhood Development Plan](#) was adopted primarily to facilitate the implementation of the Village of Autumn Lake development. The plan recommends development of the subject site with medium-density residential uses.

**Zoning Summary:** The subject property is zoned TR-P (Traditional Residential–Planned District):

| Requirements               | Required  | Proposed   |
|----------------------------|---|--|
| Lot Area                   | 600 sq. ft./unit + 300 sq. ft. per bedroom for greater than two bdrms. (102,000 sq. ft.)  | 207,365 sq. ft.  |
| Lot Width                  | 50'   | 380', existing   |
| Front Yard                 | 15'   | 20'  |
| Maximum Front Yard         | No more than 20% greater than block average, up to 30' maximum                            | 20'  |
| Side Yard                  | 10'   | Adequate   |
| Rear Yard                  | Street-accessed: 20'  | Adequate   |
| Maximum Lot Coverage       | 75%   | 58%  |
| Usable Open Space          | 140 sq. ft. per unit (23,800 sq. ft)  | 86,557 sq. ft.   |
| Maximum Building Height    | 4 stories and 52'   | 3 stories; height exceeds 52'                            |
| Building Form              | Large Multi-Family Building   | Complies with requirements                               |
| Number Parking Stalls      | 1 per dwelling (170)  | 261  |
| Accessible Stalls          | Yes   | Yes  |
| Number Bike Parking Stalls | 1 per unit up to 2-bedrooms (170); 1 short term guest space per 10 units (17) = 187 total | 34 surface, 154 underground = 188 total (See conditions) |

**Other Critical Zoning Items**

Yes: Urban Design (Residential Building Complex), Barrier Free, Utility Easements

No: Wellhead Protection, Floodplain, Landmarks, Waterfront Development , Adjacent to Park

*Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator*

**Environmental Corridor Status:** The property is not located in a mapped environmental corridor.

**Public Utilities and Services:** The subject site and larger Village of Autumn Lake subdivision will be served by a full range of urban services as it develops with the exception of Metro Transit, which currently does not provide service to the site. The closest accessible bus stop with scheduled bus service is approximately three-quarters of a mile west along Lien Road at the intersection of Zeier Road/N. Thompson Drive, or approximately three-quarters of a mile north of the site on City View Drive north of the railroad corridor (at Wall Street/ City View Drive/ Crossroads Drive).

## Previous Approvals

On August 3, 2004, the Common Council approved a request to rezone approximately 285.2 acres located on both sides of Felland Road north of Lien Road from Temp. A (Agriculture District) to R2T, R2Y and R2Z (Single-Family Residence Districts), PUD-GDP, C2 (General Commercial District) and C (Conservancy District) [1966 Zoning Code] and the final plat of the "Village at Autumn Lake" subdivision to allow the development of 1,215 dwelling units, including 489 single-family residences, 12 two-family units, 714 multi-family units, 2 mixed-use town center properties, 1 general commercial property and various public and private outlots for open space, parks, an elementary school, alleys and stormwater management. The final plat was recorded on March 30, 2006.

On May 19, 2015, the Common Council approved a request to change the zoning of numerous parcels in the Village at Autumn Lake subdivision generally addressed as 1710 Arial Spring Trail from TR-C3 (Traditional Residential-Consistent 3 District), PD (Planned Development District), and CN (Conservancy District) to TR-P (Traditional Residential-Planned District) and TR-C3, and approved the preliminary plat and final plat of the Village of Autumn Lake Replat, creating lots for 542 single-family units; 22 two-family-twin units, 8 four-unit dwellings, 48 townhouses, and 332 multi-family units, including 36 in a new mixed-use node; 16 outlots dedicated to the public; and 12 outlots to be private. On May 4, the Plan Commission recommended approval of the rezonings and subdivision plat and approved a demolition permit to allow a single-family residence on a parcel addressed as 5825 Sanctuary Lane and 2009 Expedition Trail to be razed as part of the proposed replat. The replat was recorded on December 3, 2015.

## Project Description

The applicants are requesting approval of a conditional use for a residential building complex on Lot 520 of the Village of Autumn Lake residential subdivision, which will include a total of 170 apartment units located in four buildings. The subject site is an approximately 4.9-acre block located on the southern edge of the Village at Autumn Lake development and bounded on the south by Lien Road, on the west by future City View Drive, on the north by Spring Tide Way, and on the east by Willow Rock Road.

The four buildings will extend around the perimeter of the site surrounding a courtyard comprised of common green spaces and surface parking for 80 autos. Additional parking for 181 autos will be provided in garages beneath the proposed buildings. A clubhouse and pool serving the complex is proposed east of the site across Willow Rock Road on Lot 564 (1704 Autumn Lake Parkway). The 170 units will include 14 efficiencies, 78 one-bedroom, and 78 two-bedroom apartments. The 261 auto parking stalls proposed will result in a ratio of 1.5 stalls per dwelling unit.

The buildings will be set back approximately 20 feet from Spring Tide Way and Willow Rock Road, while greater setbacks are proposed along City View Drive and Lien Road in observance of building setback lines of 30 and 40 feet, which were established parallel to those respective rights of way by the Village of Autumn Lakes plat.

The buildings will stand primarily three stories in height but will step down to two stories at each end. Units on the first floors of the buildings will include individual entrances connected to the public sidewalks on City View, Spring Tide and Willow Rock, with some individual unit entrances also proposed along the facades facing the central open space and parking court. The buildings will primarily be clad in horizontal composite siding accented by composite shakes above a stone veneer base. Colored elevations included with the application materials suggest that multiple siding colors will be used to create visual interest in the complex.

## Analysis and Conclusion

Residential building complexes, which are 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” are conditional uses in the TR-P (Traditional Residential–Planned) zoning district and are subject to the following supplemental regulations in Section 28.151 of the Zoning Code (as applicable in the TR-P zoning district):

- (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 Planning Division believes that the conditional use standards and supplemental regulations can be met for the proposed residential building complex. Staff feels in particular that the scale and architectural style of the buildings should relate well to the scale and styles of lower-density housing that will be built generally to the north and east of the site elsewhere in the Village at Autumn Lake subdivision, with a strong orientation to three of the four abutting public streets, which will be enhanced by the connection of the individual first floor unit entrances to the public sidewalks. The proposed development is also consistent with the approved TR-P master plan for the Village of Autumn Lake, which identified Lots 520 and 564 for development with a combined total of 250 dwelling units, and specifically recommended a maximum net density of 35.7 units per acre for the subject site. The proposed 170-unit development will result in a density of 34.7 units per acre on the 4.9-acre site.

While the buildings will be shorter than the maximum of four stories allowed in TR-P zoning, the Zoning Administrator has determined that the height of three of the four proposed buildings, Buildings 3, 5 and 6, will exceed the 52-foot maximum height above grade, which requires specific approval of a conditional use to

exceed the maximum height. Conditional use standard #12 specifically applies to height in excess of the allowed height of a district:

*When applying the above standards to an application for height in excess of that allowed in the district, the Plan Commission shall consider recommendations in adopted plans; the impact on surrounding properties, including height, mass, orientation, shadows and view; architectural quality and amenities; the relationship of the proposed building(s) with adjoining streets, alleys, and public rights of ways; and the public interest in exceeding the district height limits.*

In reviewing the proposed buildings, staff believes that the Plan Commission can find the above standard met and approve the heights shown, which range from one inch to four feet of additional height above the 52-foot threshold. The excessive height on all four buildings is located in the central section of the cross-gable roof systems, and is accentuated by the amount of exposure of the under-building parking created by an approximately 12-foot grade change present from south to north through the site from Lien Road to Spring Tide Way. Staff feels that the proportion of roof exceeding 52 feet is relatively modest when the entirety of those three buildings is considered. The overall roof systems of the buildings also include sufficient variation in height to create visual interest, and staff is not concerned that the few feet of additional height will negatively impact the surrounding streets or future buildings to be constructed to the north and east.

## Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use–residential building complex to allow construction of 170 apartment units in four buildings at 5501 Spring Tide Way 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

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

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

1. This lot is not currently located with a phase of the plat that has a developer's agreement with the City. This lot is not developable without a signed developer's agreement with the City for either the lot itself or the phase of the Village of Autumn Lake plat that includes this lot.
2. The applicant shall make improvements to the right of way. The improvements shall consist of building street and sidewalk for Willow Rock Road and Spring Tide Way. In addition, provisions for the improvements of City View Drive shall be made with the City.
3. The construction of this project will require the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. Note: Obtaining a developer's agreement generally takes approximately a minimum of 4-6 weeks.

4. This development is subject to impact fees for the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District. All impact fees are due and payable at the time building permits are issued. The following note shall put on the face of 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."
5. 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 two working days prior to requesting City Engineering signoff.
6. 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. See Project 11509 for proposed sewer City Sewer facilities to this lot. Add note to plan to confirm elevations of City facilities prior to installation of the lateral improvements.
7. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department of Natural Resources (WDNR) in order to comply with TMDL limits.
8. 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.
9. 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](mailto:bstanley@cityofmadison.com) (East) or [troester@cityofmadison.com](mailto:troester@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).

10. 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.
11. Provide additional detail how the enclosed depression(s) created by the parking entrance(s) to the below building parking area(s) is/are served for drainage purposes. The building must be protected from receiving runoff up through the 24-hour, 100-year design storm. If the enclosed depression(s) is/are to be served by a gravity system, provide calculations stamped by a Wisconsin P.E. that show inlet and pipe capacities meet this requirement. If the enclosed depression(s) is/are to be served by a pump system, provide pump sizing calculations stamped by a Wisconsin P.E. or licensed plumber that show this requirement has been met.
12. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
13. This site appears to disturb over 1 acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortved of the WDNR at 273-5612 to discuss this requirement.
14. 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 Madison General Ordinances.
15. Oil and Grease Control is required.
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
17. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.
18. 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.
19. All work in the public right of way shall be performed by a City-licensed contractor.
20. All damage to the pavement on Lien Road adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
21. The applicant shall execute a waiver of notice and hearing on the assessments for the improvement of City View Drive in accordance with Section 66.0703(7)(b) of Wisconsin Statutes and Section 4.09 of MGO.

22. The developer shall make improvements to Lien Road as required by City Engineer to facilitate ingress and egress: The above improvement will consist of acceleration and deceleration tapers, right-turn lanes, passing lanes, and median openings. Note: The improvements indicated above may require right of way outside of the plat.
23. The developer shall note the AASHTO design standards for intersection sight distance will be applied during the design of the streets within this plat.
24. The developer shall confirm that adequate sight distance exists where public streets intersect. If adequate sight distance does not exist, the developer shall change the location of the street intersection or agree to make improvements to the roadways such that the sight distance is achieved or make other mitigating improvements as required by the City.
25. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.

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

26. The 30-foot building setback line along City View Drive shall be shown and labeled on the site plan.
27. The applicant shall submit a PDF of all floor plans for each separate building to Lori Zenchenko (Lzenchenko@cityofmadison.com); so that a preliminary building and preliminary interior addressing plan can be developed prior to plans being submitted for permit review. 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.

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

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|---|
| <p>28. The applicant shall work with Traffic Engineering to improve pedestrian internal circulation. This may involve additional pedestrian paths, realignment of existing paths and/or the installation of pedestrian crosswalks (typically continental crosswalks).</p> |
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29. 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.
  30. 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.

31. 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.
32. All parking facility design shall conform to the standards in MGO Section 10.08(6).
33. All sidewalks shall be a minimum width of 5 feet and shall be increased to 7 feet adjacent parking.
34. The applicant shall work with Traffic Engineering to see if a pedestrian (that may or may not be ADA-compliant) connection can be made from the internal pedestrian facilities to the public right-of-way (Spring Tide Way) between Buildings 5 and 6.
35. Items in the right-of-way are not approvable though site plan approval; the applicant shall remove all improvements in the right-of-way including parking stalls.

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

36. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
37. Provide building elevations with building materials and colors specified.
38. Submit bike rack details for the ground mounted and wall mounted bike racks.
39. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
40. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes and MGO Section 33.24 Urban Design ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

41. Provide fire apparatus access as required by IFC 503 2015 edition, MGO Section 34.503. The site plans shall clearly identify the location of all fire lanes.

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

This agency reviewed the request and has recommended no conditions of approval.

**Parks Division** (Contact Janet Schmidt, 261-9688)

42. The Park Development Impact Fee per MGO Sec. 20.08(2) shall be required for all new residential development. This development is within the East Park-Infrastructure Impact Fee district. Please reference ID# 17106 when contacting Parks Division staff about this project.

43. City Forestry will evaluate the terrace for new street tree plantings upon completion of the project. If there is space for new trees, City Forestry will schedule planting and assess the cost of the initial planting to the property owner.

**Water Utility** (Contact Adam Wiederhoeft, 266-9121)

44. All public water mains and water service laterals shall be installed by a standard City subdivision contract/ City-Developer agreement. The applicant shall contact City Engineering Division to schedule the development of plans and the agreement. See City Engineering Division comments for additional information.