PLANNING DIVISION STAFF REPORT

March 3, 2025

PREPARED FOR THE PLAN COMMISSION

Project Address: **321 Russell Street** (6th Alder District)

Application Type: Zoning Map Amendment

Legistar File ID # 86989

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

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

Summary

Requested Action: Creating Section 28.022-00703 of the Madison General Ordinances to change the zoning of property located at 321 Russell Street from PD (Planned Development) District to TSS (Traditional Shopping Street) District. There are no changes to the property proposed in conjunction with the rezoning request.

Proposal Summary: Rezoning of property from PD to TSS, sponsored by Alder Marsha Rummel, District 6. This is to correct an internal mapping error which occurred in the early 1990's when the zoning map was transferred from mylar (paper-based system) to GIS (digital-based system). Based on City Zoning records, the property should be zoned TSS, but the 2013 repeal and replace of the official zoning map zoned this property into the Planned Development (PD) District.

Applicable Regulations & Standards: This proposal is subject to the approval standards for Zoning Map Amendments [MGO Section 28.182(6)]. It is also subject to MGO Section 28.065 which pertains to the TSS (Traditional Shopping Street) District.

Review Required By: Plan Commission and Common Council.

Summary Recommendation: The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID Section 28.022-00703 of the Madison General Ordinances to change the zoning of property located at 321 Russell Street from the PD (Planned Development) District to TSS (Traditional Shopping Street) District to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing.

Background Information

Parcel Location: The roughly 4,720-square-foot (0.11-acre) subject site is located on the east side of Russell Street between Winnebago Street and Eastwood Drive. The parcel is located within Alder District 6 (Ald. Rummel); the Transit-Oriented Development (TOD) Overlay District; and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with two-story, 1,730-square-foot two-unit, which City Assessor's Office records note was constructed in 1901.

Surrounding Land Uses and Zoning:

North and East: The four-building, 20-unit Amoth Court Housing development, which is zoned PD (Planned Development);

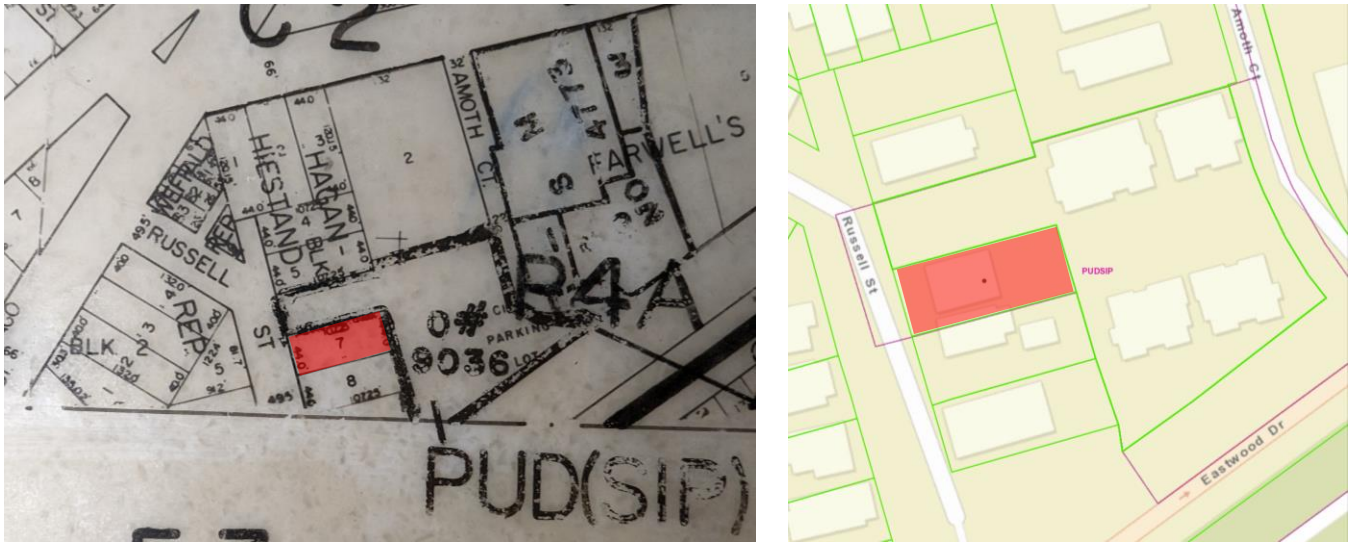
South: A single-family residence and three-unit, both zoned TSS (Traditional Shopping Street); and

West: Across Russell Street are single-family residences and two-units, beyond which are commercial buildings and two-units, all in the TSS District.

Adopted Land Use Plan: The Comprehensive Plan (2023) identifies the subject site and rest of block for Neighborhood Mixed-Use (NMU) development. The Plan generally describes NMU as including "relatively small existing and planned Activity Centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents." It also notes that this type of development is generally 2-4 stories in height and at a density of up to 70 dwelling units per acre. The Marquette-Schenk-Atwood Neighborhood Plan (1994) does not provide specific recommendations for the subject parcel.

Project Description, Analysis, and Conclusion

Description of Zoning Change – Staff believe the internal mapping error dates back to 1992 when the official zoning map was transferred from mylar (paper-based system) to GIS (digital-based system). (See the images below of the before and after.) When the zoning code and map were repealed and replaced in 2013, while the subject property was rezoned to Planned Development (PD) on the official zoning map, based on City Zoning records, the property should have been zoned TSS (Traditional Shopping Street) District to match the rest of the parcels along Russell Street.



The 1991 Mylar Zoning Map (left); ***The 'Old Zoning District' GIS Layer*** (right)

Standards for Review of Zoning Map Amendments- Zoning Map Amendment standards, found in 28.182(6), M.G.O. state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety, and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law. Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."

The Comprehensive Plan (2023) identifies the subject site and rest of block for Neighborhood Mixed-Use (NMU) development. The Plan generally describes NMU as including "relatively small existing and planned Activity Centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents." It also notes that this type of development is generally 2-4 stories in height and at a density of up to 70 dwelling units per acre.

Staff believe the proposed rezoning could be found to be consistent with adopted plans. Regarding the Comprehensive Plan's Neighborhood Mixed-Use (NMU) recommendation, which it describes as 2-4 stories and up to 70 dwelling units per acre, staff note that the subject site is located within the Transit-Oriented Development (TOD) Overlay District (which allows a bump in building height from 3 stories/40 feet in the TSS District to 4 stories/60 feet). TSS Zoning would also match that of the entire rest of the block, save for the PD-zoned parcel to the north and east.

The Marquette-Schenk-Atwood Neighborhood Plan (1994) does not provide specific recommendations for the subject parcel.

Public Input

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

Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID Section 28.022-00703 of the Madison General Ordinances to change the zoning of property located at 321 Russell Street from the PD (Planned Development) District to TSS (Traditional Shopping Street) District to the Common Council with a recommendation of **approval**. This recommendation is subject to input at the public hearing.