



## Report to the Plan Commission

June 10, 2009

Legistar I.D. #14886  
5922 Lien Road  
Re-approving PUD-GDP Zoning

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

**Requested Action:** Approval of a request to rezone parcels generally addressed as 5922 Lien Road from Planned Unit Development General Development Plan (PUD-GDP) to PUD-GDP to allow the future construction of approximately 726 multi-family units on 28 parcels and development of two town center parcels envisioned for mixed residential and commercial development in the Village at Autumn Lake subdivision.

**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 3436, rezoning parcels generally addressed as 5922 Lien Road from PUD-GDP to PUD-GDP, to the Common Council subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

### Background Information

**Applicant & Property Owner:** Don Esposito, VAL Development c/o Veridian Homes; 6801 South Towne Drive; Madison.

**Agent/ Contact:** Brian Munson, Vandewalle & Associates; 120 E. Lakeside Street; Middleton.

**Proposal:** The applicant wishes to extend the approval of the existing PUD-GDP for various multi-family residential and mixed-use components in the approved and recorded Village at Autumn Lake subdivision. No specific development plans are forthcoming at this time.

**Parcel Location:** Approximately 53.4 acres of the approximately 285-acre subdivision are zoned PUD-GDP. The 29 PUD-GDP lots are located throughout the larger subdivision, which is generally located on both sides of Felland Road north of Lien Road; Aldermanic District 17; Sun Prairie School District.

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

### Surrounding Land Use and Zoning:

North: Wisconsin Southern Railroad; High Crossing commercial subdivision, zoned RPSM (Research Park Specialized Manufacturing District); Fess Quarry, zoned Temp. A (Agriculture District); undeveloped lands in the Town of Burke;

South: Undeveloped lands in the Town of Burke;

East: Undeveloped lands in the Town of Burke;

West: United Brick & Tile, zoned C3 (Highway Commercial District) and M1 (Limited Manufacturing District); Copart Salvage & Auto Auctions, zoned Temp. A.

**Adopted Land Use Plan:** The Felland Neighborhood Development Plan recommends the various PUD-zoned sites for either medium-density residential uses, neighborhood commercial uses or mixed-use development as more specifically described in the plan.

**Environmental Corridor Status:** This PUD-zoned sites are generally not located within mapped environmental corridors, although some of the subject sites are located adjacent to mapped corridors.

**Public Utilities and Services:** This entire Village of Autumn Lakes subdivision is located in the Central Urban Service Area and will be served by a full range of urban services upon build-out of the project.

**Zoning Summary:** The site is and will be zoned PUD-GDP, which will be reviewed in the following section.

### Previous Approvals

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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) and the final plat of the Village at Autumn Lake subdivision to allow the development of 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 July 23, 2007, the Plan Commission granted a 24-month extension for the Village at Autumn Lake Planned Unit Development until August 3, 2009.

### Project Review, Analysis & Conclusion

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The applicant is requesting approval to renew the soon-to-expire Planned Unit Development zoning for 29 parcels in the Village at Autumn Lake subdivision. Approximately 53.4 acres of the 285-acre subdivision was zoned PUD in 2004 to provide a zoning framework for all of the non-single-family development and most of the commercial/ mixed-use elements of the larger Autumn Lake development. Overall, the Village at Autumn Lake was approved with 1,215 dwelling units, 2 mixed-use town center parcels near the center of the subdivision and a third C2-zoned commercial parcel to be located on the west side of Felland Road. Approximately 726 of the 1,215 dwelling units approved fall under the PUD, with the remaining units zoned R2T, R2Y or R2Z.

The 726 potential dwelling units to be developed in PUD zoning include:

- 12 alley-loaded twin-homes to be located on six lots in the southwestern quadrant of the larger subdivision, which are identified as District III of the PUD; the PUD suggests the 6 twin-home buildings will be designed with single-family-style architecture;
- up to 8 units in "mansion homes" to be located on two lots located along Autumn Hill Parkway, a neighborhood collector street serving the western half of the development west of Felland Road; these residential unit types comprise District IV of the PUD document;

- 206 units to be located in a variety of street- and alley-accessed townhouse buildings on ten parcels to be located near the town center area or on various parcels abutting Lien Road; the development of individual District V townhouse lots will range from 3 units to 48 units per lot;
- up to 424 units to be located in multi-family complexes on eight lots shown as District VI of the PUD, which are generally located along the northwesterly edge of the overall Autumn Lakes development along the Wisconsin Southern Railroad, near the town center area, or in the southeastern corner of the development along a future extension of Lien Road east of Felland Road, and;
- 76 units to be developed on a mixed-use lot in the town center area.

The two remaining PUD-zoned lots, Lots 259 and 260, are identified as mixed-use town center parcels to be developed with buildings accommodating unspecified residential development above first floor commercial space. While multi-family residential is identified as a permitted use in District VII of the PUD, the summary table contained in the document does not specify the number of dwelling units to be included in the mixed-use town center. Staff recommends that the new general development plan be revised to include the maximum number of dwelling units that could be developed on these two lots.

The applicant came before the Plan Commission in July 2007 to request a 24-month time extension as provided in Section 28.07 of the Zoning Ordinance, which requires construction to commence in accordance with an approved and recorded specific implementation plan unless an extension of up to 24 months is granted following a public hearing. Regardless of a time extension, an approved but unbuilt PUD shall be null and void unless commenced within a total of 60 months from the date of the original PUD zoning approval. At that time the 24-month extension was granted, the Planning Division and the Plan Commission felt that the development proposed for the PUD-zoned properties in the Village at Autumn Lake subdivision was still relevant with regard to the overall concept for the development and the recommendations for those sites in the Felland Neighborhood Development Plan.

Planning staff continues to feel that the types of development anticipated for the 29 PUD-zoned lots is appropriate within the context of the Village at Autumn Lake development, which was originally conceived as a compact, new urban neighborhood. Staff believes that the use of PUD zoning continues to be the most appropriate zoning framework for implementing the developer's vision for the Autumn Lake development and the recommendations of the Felland Neighborhood Development Plan. Therefore, staff recommends that the PUD zoning for those lots be granted anew as a new zoning map amendment, which will essentially restart the time period for implementing the PUD as provided in the Zoning Ordinance.

#### 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 3436, rezoning parcels generally addressed as 5922 Lien Road from PUD-GDP to PUD-GDP, with a recommendation of **approval** subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. Revise the general development plan per Planning Division approval as follows:
  - 1a. clarify in which district the 76 dwelling units on Lot 183 are located; they are listed under District VII in the PUD summary table but not identified on the District VII description on page 12;
  - 1b. specify the maximum number of dwelling units that could be developed in District VII;

- 1.c remove the following sections from the zoning text: Architectural Review Committee, Conceptual Grading Plan, Alley Lighting and Traffic Measures, as those sections are either extraneous, covered under separate documents and/or unenforceable as part of a zoning document.

The following conditions have been submitted by reviewing agencies:

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

2. Since the previous approvals for this development, City Engineering has encountered adverse groundwater conditions within the area of the development. Prior to approval of this rezoning, the developer shall investigate the extent of potential groundwater impacts and formulate a plan to address said impacts and to alert potential buyers.

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

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

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

3. Provide a grading plan of the plat to show that usable open space requirements can be met on the lots per the comparable zoning district requirements. Lots that may not meet usable open space requirements are Lots 155, 157, 158, 159 160, 161, 162 and 164. Usable open space shall be in a compact area of not less than 200 square feet and having no dimensions less than 10 feet and having a slope no greater than 10 percent. Front yards do not count toward usable open space.
4. Revise the zoning text including but not limited to the following:
- a.) (Note: under conventional zoning, a Dependency Living Arrangement is also allowed under conventional zoning and should also be added to this text.)
  - b.) Under accessory uses for all districts of the PUD, Home occupations as defined in Chapter 28.03(2). (Note: They shall not be conducted in an accessory building.)
  - c.) Multi-family attached or detached structures may require larger yards per the State code than the zoning text requires. Revise the text to be consistent with the State Building codes.
  - d.) Provide usable open space requirements for each of the types of units in the plat.
  - e.) Any tree plantings in the right-of-way shall be approved by the City Forestry Section of the Parks Division.

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

Note: Certain park impact fees were paid as part of the original zoning and subdivision approvals. However, additional park fees may be required as part of the review of future specific implementation plans for any units not previously paid. The developer should work with the Parks Division as part of the submittal and approval of future SIPs to determine the amount of park fees due for each project.

**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.

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

This agency did not submit comments for this request.