



Report to the Plan Commission

July 23, 2012

Legistar ID # 26848 & 27079

1201-1211 Mound Street

PUD Zoning Map Amendment & Land Division (CSM)

Report Prepared By:

Kevin Firchow, AICP

Planning Division

Requested Action: The applicant requests approval to subdivide two (2) properties into four (4) lots to allow the construction of two (2) additional two-unit buildings.

Applicable Regulations & Standards: This project is subject to the standards for zoning map amendments, planned unit developments, and certified survey maps. Section 16.23, Land Subdivision Regulations, Madison General Ordinances provides the requirements for land divisions located within the City of Madison.

Summary Recommendation: The Planning Division recommends the Plan Commission find that the applicable standards are met and forward zoning map amendment ID 3622, rezoning 1201-1211 Mound Street to the PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) District, to the Common Council with a recommendation of **approval**. The Planning Division further recommends the Plan Commission find that the standards for land divisions met with this request and **approve** the Certified Survey Map for the subject properties. These recommendations are subject to input at the public hearing and the conditions from reviewing agencies.

Background Information

Applicant / Owner: Mike Fisher; 1200 Mound Street LLC; 2249 Pinehurst; Middleton, WI 53562

Contact: Randy Bruce; Knothe & Bruce Architects, LLC; 7601 University Avenue Suite 201; Middleton, WI 53562

Proposal: The applicant proposes to subdivide two existing 9,000 square foot properties into four (4) lots to allow the construction of two (2) new two-unit buildings. The resulting PUD will include four (4) two-unit buildings.

Parcel Locations: The subject property is located at the southwest corner of Mound and Charter Streets. The property is within Aldermanic District 13 and within the limits of the Madison Metropolitan School District.

Existing Conditions: The subject site includes two (2) two-unit structures and associated improvements, including a gravel parking now located between the two structures.

Surrounding Land Use and Zoning:

North: Surface parking lot for St. James church, zoned R4 (General Residence District);

South: Residential properties including single, three, and five unit structures, zoned R3 (Single and Two-Family District).

East: Residential properties including single and two-flat residences, zoned R3.

West: Two-Unit residential properties, zoned R4.

Adopted Land Use Plan: Information on adopted plan recommendations is included within the body of this report.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

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

Zoning Summary: These properties are proposed to be rezoned to the PUD district. As there are no predetermined bulk requirements, this project is being compared to the R4 standards for comparative purposes.

Requirements	Required	Proposed
Lot Area	7,500 sq. ft.	130,270
Lot width	50'	40''
Usable open space	1,000 sq. ft.	adequate
Front yard	25'	adequate
Side yards	6 each side	adequate
Rear yard	35'	adequate
Building height	2 stories	2 story
Site Design	Required	Proposed
Number parking stalls	1 per unit	1 per unit
Landscaping	As shown	adequate
Lighting	n/a	n/a
Other Critical Zoning Items	Urban Design, Utility easements	

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

Project Review, Analysis, and Conclusion

The applicant requests approval of a planned unit development zoning map amendment and a four (4) lot land division (certified survey map) to allow for the infill construction of two (2) additional two-unit buildings. In total, the project would include four (4) two-unit buildings on four lots. This proposal is subject to the approval standards for zoning map amendments, planned unit developments, and land divisions.

Existing Conditions and Surrounding Context

The subject site now includes two (2) 9,000 square foot lots at the corner of Mound and South Charter Streets. These lots are 60 feet in width, double the width of most of the properties in the subject block.

Both properties currently include two-unit buildings. The building at 1201 Mound Street (Building #1) is at the far western side of the property with the building at 1211 Mound Street (Building #2) built to the far eastern corner. There is now approximately 64 feet between these buildings, now utilized as a gravel parking lot. The rear of the site along South Charter Street includes a small detached garage, which would be removed as part of this proposal.

The subject properties sit amongst a line of other two-flat buildings. A mix of single and small multi-family buildings are located across the rear alley. A similar mix of housing is located in the block to the east. A surface parking lot for St. James Church is directly across the street from the subject site.

Summary of Proposal

The applicant proposes to divide the property into four (4) lots. Basic information is provided below, please see the submitted plans and certified survey map for further information.

Lot	Use	Building Size	Lot Size	Lot Width
Lot 1	Existing 2-Unit "Building #1"	2,272 sf	4,000 sf	40 feet
Lot 2	New 2-Unit "Building # 2"	2,120 sf	4,000 sf	40 feet
Lot 3	Existing 2-Unit "Building #3"	2,512 sf	4,016 sf	40.19 feet
Lot 4	New 2-Unit "Building #4"	2,120 sf	5,986 sf	49.88 feet

The proposed residences, Buildings #2 and #4, are similar buildings. Both buildings are roughly 2,120 square feet in size and include two (2) dwelling units apiece. All dwelling units occupy two levels, either with a finished basement and first floor or a second floor with loft space above. Each dwelling unit includes three bedrooms, including a master bedroom with bathroom. Units also include a den, living room, kitchen, one half-bathroom, and one full bathroom in addition to the master bath. Both buildings will be clad in a composite horizontal siding and include front porches on both the lower and upper levels.

No changes are proposed for the existing Buildings, #1 and #3 as part of this request. Staff understands that Building 1 includes seven (7) total bedrooms and Building 2 includes nine (9).

The site and landscape plan provide several improvements across the site. A five-stall surface parking lot will be located off the alley, to the west side of Lot 4. A smaller four-stall lot will be split across lots 3 and 4. Bike parking will be provided on Lots 1 and 4. A four-foot wide sidewalk between Lots 1 and 2 provides access to the alley and rear parking areas. Staff understands the applicant's intent is to have parking stalls available to residents of any of the buildings within this planned development. Zoning staff has requested details of a reciprocal parking agreement be included as a condition of approval.

The proposed landscape plan shows that seven on-site trees will remain. Foundation plantings are proposed along the two proposed buildings. Other small plantings are proposed to partially screen the parking areas. The balance of the lots will be reseeded with grass, where necessary.

Staff note that the proposal includes two potential garage options. One option is a garage attached to Building 4 and another is located behind the rear parking lot. General massing diagrams are shown for the attached garage. Staff have added a condition of approval that construction of those garages may be approved as a minor alteration to this Planned Unit Development.

Consistency with Adopted Plans

The Comprehensive Plan recommends low density development for the subject properties. Two-unit homes are consistent with that recommendation. The Greenbush Neighborhood Plan and Housing Revitalization Study also identifies this area for low density residential development. That plan further identifies Mound Street as a transition between the owner occupied, single-family homes to the south and denser residential development to the north.

In an attempt to provide housing options that encourage work force and family housing, the neighborhood plan also recommends changing the zoning on Mound Street to reduce the number of unrelated (non-family) occupants per unit. This is regulated by the Zoning Code's "family definition." In the current R4 (General Residence District) the family definition allows up to five (5) unrelated residents per dwelling unit. The Plan recommends exploring "down-zoning" this block to a district using the more restrictive family definition, limiting occupancy to two (2) unrelated individuals for non-owner occupied homes. Staff and the Alder discussed this with the applicant prior to making this application. As a compromise, the applicant revised his proposal to reduce the number of bedrooms from five (5) to three (3) per unit in the new building. This is reflected in the plans before the Plan Commission. As part of that initial discussion, it was also requested that the applicant amend the zoning text to reflect the reduced occupancy for the new buildings. Staff have discussed this with the project contact and have recommended a revised zoning text be provided as a condition of approval.

Urban Design Commission

The project received initial approval from the Urban Design Commission on June 6, 2012. The comments were generally favorable and supportive of this infill project. That report is attached.

Relationship to Proposed Zoning Map

The draft of the new zoning map, scheduled for review by the Plan Commission in the coming months, recommends the TR-C3 zoning district (Traditional Residential – Consistent 3) for the subject properties. (Note, that district is proposed to be renamed to TR-C4 in forthcoming edits as discussed in recent Plan Commission meetings). That district allows for single and two family (stacked) residential development, such as the proposed. The proposed infill development appears to be consistent with the bulk and lot standards for that district. Staff note that that district does include the more restrictive "family" definition as described above, limiting occupancy to two unrelated residents per dwelling unit for non-owner occupied homes. If this proposal is approved, staff recommend that the new zoning map reflect the approved PUD.

Approval Standards

Staff believe the project can meet the applicable standards for zoning map amendments, planned unit developments, and land divisions.

Conclusion

Staff support this proposal and believe the resulting buildings are well-designed, appropriately-scaled infill housing. The resulting development pattern is consistent with the front and side-yard setbacks found elsewhere in this block. The proposal is generally consistent with many of the underlying plan recommendations. The only element of this proposal that is inconsistent with adopted plans is the recommendation that properties along Mound Street are rezoned to limit occupancy to no more than two unrelated occupants per unit. As a compromise, the applicant has revised plans and proposes to have three-bedroom units in the new buildings. Staff believe the resulting buildings could be attractive to a variety of potential tenants including those seeking family and workplace housing. At the time of report writing, staff had not received any comments on this proposal. Staff understands the Alder is in support of this request, with the reduction in bedrooms and occupancy discussed in this report.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends the Plan Commission find that the applicable standards are met and forward zoning map amendment ID 3622, rezoning 1201-1211 Mound Street to the PUD-GDP-SIP (Planned Unit Development-General Development Plan-Specific Implementation Plan) District, to the Common Council with a recommendation of **approval**. The Planning Division further recommends the Plan Commission find that the standards for land divisions met with this request and **approve** the Certified Survey Map for the subject properties. These recommendations are subject to input at the public hearing and the conditions from reviewing agencies.

Comments on Zoning Map Amendment:

1. That the applicant works with Planning and Zoning staff to revise the Family Definition in the Zoning Text. The revised language shall limit the number of unrelated occupants in a dwelling unit to three (3) for Lots 2 and 4. This would allow one individual or family and two "roomers" (using the language in the sited code section). Per the applicant's request, Lots 1 and 3 may utilize the less restrictive standard sited in the draft zoning text. All other provisions of the family definition are intended to apply. Final language shall be approved by the Zoning Administrator.
2. That the applicant receives final approval from the Urban Design Commission prior to final sign-off and recording of this PUD.
3. That the applicant receives approval of an alteration to this SIP (Specific Implementation Plan) prior to receiving permits to build the conceptual garage options depicted on plans. The garages may be approved as a minor alteration by the Planning Division Director.

The following conditions have been submitted by reviewing agencies:

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

Comments on Zoning Map Amendment:

4. The concurrent Certified Survey Map (CSM) application shall be approved and recorded prior to issuance of any building permits for new construction.
5. There appears to be un-recorded private shared parking and ingress-egress arrangements between the two properties located at 1201 and 1211 Mound Street. Prepare and record private parking and ingress-egress documents with the Register of Deeds and provide copies to Engineering for proper record keeping and future driveway permitting purposes. The proposed CSM shall reference these private recorded documents prior to CSM recording.
6. The proposed Bldg 4 garage option conflicts with proposed bicycle parking. Reconcile on final approved site plans.
7. Proposed Bldg 2 has a preliminary approved address of 1207 Mound St. Apt. Nos. 1 and 2.

8. Proposed Bldg 4 has a preliminary approved address of 208 S. Charter St. apt. Nos. 1 and 2.
 9. Proposed building 2 shows connection to an existing unused sanitary sewer lateral that is 104 years old and should not be relied upon for use. Revise plans to show a new sanitary sewer lateral connection to the existing main on Mound Street.
 10. Revise plans for the drainage in the south west corner of the development. Runoff shall be directed onto the alley and not discharged onto the adjacent property.
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11. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
 12. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which 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. (POLICY)
 13. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5 and MGO 23.01)
 14. All damage to the pavement on Mound Street, Charter Street and the public alley, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
 15. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: 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) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words "unplatted", h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred addressing@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))
 16. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

17. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
18. 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. (POLICY)

Comments on CSM:

19. Depict and dimension all existing improvements within the CSM boundary that will be remaining on this site at the time of CSM recording.
20. A bolder line style be used to represent underlying platted lot lines so that they are legible on recorded CSM. Also suggest replacement of the dashed lines with solid for the new lot lines being created by this CSM.
21. There appears to be un-recorded private shared parking and ingress-egress arrangements between the two properties located at 1201 and 1211 Mound Street. Prepare and record private parking and ingress-egress documents with the Register of Deeds and provide copies to Engineering for proper record keeping and future driveway permitting purposes. The proposed CSM shall reference these private recorded documents prior to CSM recording.
22. Each lot of the CSM shall have a separate sanitary sewer lateral. Lots 2 and 4 shall require new sewer laterals.
23. Arrows shall be added to the certified survey map indicating the direction of drainage for each property line not fronting on a public street. In addition, the certified survey map shall include lot corner elevations, for all lot corners, to the nearest 0.25-foot. The following notes shall be added to the certified survey map. (MGO 16.23(9)(D))
 - a. Arrows indicate the direction of surface drainage swale at individual property lines. Said drainage swale shall be graded with the construction of each principal structure and maintained by the lot owner unless modified with the approval of the City Engineer. Elevations given are for property corners at ground level and shall be maintained by the lot owner.
 - b. All lots within this certified survey are subject to public easements for drainage purposes which shall be a minimum of 6-feet in width measured from the property line to the interior of each lot except that the easements shall be 12-feet in width on the perimeter of the certified survey. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the certified survey. Easements shall not be required on property lines shared with greenways or public streets. No buildings, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

NOTE: IN THE EVENT OF A CITY OF MADISON PLAN COMMISSION AND/OR COMMON COUNCIL APPROVED REDIVISION OF A PREVIOUSLY SUBDIVIDED PROPERTY, THE UNDERLYING PUBLIC EASEMENTS FOR DRAINAGE PURPOSES ARE RELEASED AND

REPLACED BY THOSE REQUIRED AND CREATED BY THE CURRENT APPROVED SUBDIVISION.

Information to Surveyor's: In addition to notes such as this, WI State Plat Review now enforces the requirement that easements or other reference lines/areas be graphically shown, dimensioned and tied when they represent fixed locations. They will accept a "typical detail"

24. The lots within this certified survey map are inter-dependent upon one another for storm water runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the certified survey map and recorded at the Dane Co Register of Deeds. (POLICY)
25. A minimum of two (2) working days prior to requesting City Engineering signoff on the plat/csm the applicant shall contact Janet Dailey (608-261-9688) to obtain the final stormwater utility charges that are due and payable prior to sub-division of the properties. The stormwater utility charges (as all utility charges) are due for the previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel). (POLICY)
26. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat or CSM. Note: Land tie to two PLS corners required.

Traffic Engineering Division

Comments were not received in time to be included in this report.

Fire Department (Contact Bill Sullivan, 261-9658)

Comment on Zoning Map Amendment:

27. Provide automatic fire sprinklers in Building #1 and Building #2. SPS 321.03(3)(c)
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Comment on CSM:

28. New property line locations shall not create a code violation with the existing structures.

Zoning Administrator (Contact Pat Anderson, 266-5978)

29. Put addresses of the buildings and number of units in each building on the site plans. Address information can be obtained from Lori Zenchenko of City Engineering at (608)266-5952.
30. If lighting is provided it shall be in accordance with City of Madison General Ordinances Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).

31. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide minimum of one accessible stall striped per State requirements. Stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
32. Provide reciprocal parking agreement.
33. Bike parking shall comply with City of Madison General Ordinances Section 28.11. Provide one bike parking stall for each bedroom 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 two feet by six feet with a five-foot access area.
34. Provide detailed floor plans, elevations and unit mix of the two existing duplexes.

Water Utility (Contact Dennis Cawley, 261-9243)

35. There is no existing water service lateral serving proposed Lot 2. Each lot is required to have a separate water service lateral connected to a public water main.

36. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. This property is not in a wellhead protection district. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

Parks Division (Contact Kay Rutledge, 266-4714)

37. The developer shall pay approximately \$14,165.32 for park dedication and development fees for 4 additional duplex units that will be constructed on the two new lots created by this CSM.

38. The developer must select a method for payment of park fees before signoff on the CSM / SIP.

39. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.

40. This development is within the Vilas-Brittingham impact fee district (SI27).