

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
May 19, 2008**

RE: I.D. # 09981: Zoning Map Amendment I.D. 3347, Rezoning of 303 N. Hamilton Street from PUD-GDP to PUD-SIP

1. Requested Actions: Approval to rezone the property from PUD-GDP (Planned Unit Development Plan-General Development Plan) to PUD-SIP (Planned Unit Development Plan-Specific Implementation Plan) to allow for the construction of a 71 apartment units (68 in new building, three in existing building)
2. Applicable Regulations: 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.
3. Report Prepared By: Kevin Firchow, AICP, Planner

GENERAL INFORMATION

1. Applicant: Phillip K. Hees; The McBride Companies; 139 W Wilson Street; Madison, WI; 53703

Agent: Thomas C. Miller; The Alexander Company, Inc; 145 E Badger Road, Suite 200; Madison, WI 53713
2. Development Schedule: The applicant estimates construction would be complete during the Summer 2009.
3. Location: Approximately ½ acre of land surrounding the Pinkus McBride Grocery Store and mixed use building in a triangular block bounded by East Johnson, North Hancock, and North Hamilton Streets; Aldermanic District 2; Madison Metropolitan School District.
4. Existing Conditions: The subject site is “Block 258” which includes six multi-unit residential structures that were approved for demolition in January 2008. The block also includes the two-story Pinkus McBride building, which is not included in the applicant’s demolition plans. Three apartment units in the upper floor of that building will remain.
5. Proposed Land Use: The applicant proposes to construct a four-story, 68-unit apartment building with underground parking. Three apartment units in the Pinkus building will remain.

6. Surrounding Land Use and Zoning: Current zoning and land use are summarized as follows:

300 E Johnson St. Block: Two and three unit residential buildings, zoned R6 or PUD-SIP. The block also contains one mixed-use building and one 22-unit apartment building, both zoned R6.

300 N Hancock St. Block: Three-story Nichols Station Condominiums, zoned PCD-SIP

300 N Hamilton Block: Single-family, two and three unit residential buildings zoned R6. This includes a converted church that is now a two-family residence.
7. Adopted Land Use Plan: The Comprehensive Plan includes the subject properties within the “First Settlement/ Old Market Place Downtown Sub-District”. The recommended uses include “residential development of 16 to 60 units per net acre with densities and dwelling unit types defined in City-adopted detailed neighborhood development plans and/or special area plans”. Also recommended are historic preservation areas and neighborhood conservation areas in strategic locations as defined in City-adopted detailed neighborhood or special area plans. The area’s current neighborhood plan, the Fourth District-Old Market Place Neighborhood Plan Strategy, was adopted in 1983 does not identify the subject property as part of a historic district.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments and planned unit development districts.

PLAN REVIEW

The applicant requests approval to rezone the property from PUD-GDP (Planned Unit Development-General Development Plan) to PUD-SIP (Planned Unit Development Plan-Specific Implementation Plan) to allow for the construction of a 68-unit apartment building. The new building would be just over 78,000 square feet in addition to the 4,200 square foot Pinkus McBride building.

Previous Approvals

The Plan Commission approved the demolition of six residences on the subject block on January 28, 2008. The corresponding rezoning of the property from R6 (General Residence District) and C1 (Limited Commercial District) to PUD-SIP was approved by the Common Council on February 5, 2008. The Urban Design Commission granted initial approval of the SIP drawings on March 26, 2008 and final approval on April 23, 2008.

Existing Conditions and Surrounding Context

The subject site is Block 258, a triangular-shaped block bounded by East Johnson, North Hancock, and North Hamilton Streets. The subject block includes the Pinkus McBride Grocery and Deli building at the southwestern corner of this “triangle”. This two-story Queen Anne-style building was not included in the previous demolition approval. The remainder of the block currently includes 48 dwelling units housed within six multi-unit residential structures, for which demolitions have been approved.

There is a significant range of building types in the surrounding blocks. Buildings vary by size, age, and overall character. The 300 block of East Johnson Street includes a mixed-use commercial building and a series of two and three flat residential buildings. One larger, 22-unit apartment building is also found in the middle of this block. The 300 block of North Hamilton Street includes single-family, two-flat, and three-flat residences, with most structures dating back to the 1880s and 1890s. This block also includes a brick church building that has been converted into a two-unit residential property. The 300 block of North Hancock Street includes the Nichols Station Condominium development. This structure was completed in 1986 and is three stories in height in the block facing the proposed development.

Proposed Building Mass and Bulk

Much of the proposed building is four-stories tall, measuring 54.5 feet in height. A small portion of the building transitions down to three stories, roughly matching the height of the two-story, 46-foot tall Pinkus building along Johnson Street. Along Hamilton Street, the proposed building does not step down but is setback from the face of the Pinkus building. The lake-facing side of the building along Gorham Street is three stories. Mechanical penthouses are proposed above the fourth floor but are not shown on the elevation drawings. Staff recommend that these are shown on the final elevations and are adequately screened.

The building provides a consistent mass along the East Johnson and Hancock Street frontages, as shown in the attached plans. The North Hamilton Street frontage includes an irregular pattern of building mass and an elevated green space area above the entrance to the underground parking

structure. A sidewalk-facing street wall is adjacent to this area and due changes in grade, the wall height gradually increases from 1.5 to 4.5 feet in height as one moves towards Gorham Street.

General Building Layout

The building has an “L” shaped layout consisting of two primary hallways. The submitted plans indicate that most units will take access from these internal hallways, but several units appear to have direct street entrances. A variety of different floor plans are shown in the building. The applicant has provided the following breakdown of unit types.

- 3 studio apartments
- 59 one-bedroom flats
- 5 two-bedroom flats
- 1 three-bedroom flats
- 3 one-bedroom units existing units in the Pinkus McBride Building

Building Design

The materials and design of the proposed building are contemporary in nature. The building’s mass is divided into several different building bays, defined primarily through variations in materials. Primary materials include EIFS, painted fiber cement board, glass, and aluminum panel accents. Masonry is limited to concrete masonry units proposed along the stair tower elements.

Landscape Plan

The landscape plan includes several small planting areas spaced around the building’s perimeter. Ornamental grasses are proposed between the building edge and sidewalk along Hancock Street. Slightly larger perennial planting areas are found adjacent to the building entries on both Hancock and Johnson Streets. Larger planting areas are found in the saw-tooth setbacks on Hamilton and Gorham Streets. The rooftop garden includes a series of regularly spaced aspen trees, surrounded by pavers and perennials.

Parking

The applicant proposes to provide 44 underground parking spaces, accessed via a driveway on North Hamilton Street. No on-site surface parking is included. Traffic engineering included a condition on the General Development Plan approval that no on-street permits would be made available for this development. The building’s basement plan shows 68 bike parking stalls underneath the building, with an additional four spaces near the Hamilton Street entry.

ANALYSIS

Density and Unit Mix

The current proposal is consistent with use and density approved with the General Development Plan. Compared to the GDP, the current submittal includes one fewer two-bedroom unit and an additional one-bedroom unit. A total of 71 units are proposed with 62 of the 71 units proposed as one-bedroom apartments. The unit mix also includes three studio, five two-bedroom, and one three-bedroom apartment units.

Conformance with Comprehensive Plan

The Comprehensive Plan includes the subject block within the “First Settlement / Old Market Place Downtown Sub-District”. Recommended uses include “residential development of 16 to 60 units per net acre with densities and dwelling unit types defined in City-adopted detailed neighborhood development plans and/or special area plans”. Staff previously noted that there is not currently a more-specific neighborhood planning recommendation for this area and that compatibility with the surrounding neighborhood was a key consideration. The density exceeded that recommended in the Comprehensive Plan but the number of bedrooms per acre was similar to the adjacent Nichols Station Condominium development. The staff reports of December 17, 2007 and January 28, 2008 provide further discussion on density considerations. The proposed density matches the density approved with the General Development Plan.

Design Considerations

The applicant has received initial and final approval from the Urban Design Commission and their reports are attached. In making the initial approval, the UDC requested the applicant address corner building treatments and massing as well as revising architectural details in some areas. The revised plans were granted final approval by the UDC.

The building design and materials reflect a “contemporary” aesthetic. Primary building materials include fiber cement board siding, concrete masonry units, EIFS, and metal panels. Staff has met with the applicant to discuss whether the proposed materials could be made more complementary to the masonry Pinkus building. Staff also expressed concerns about the use of concrete masonry units on the vertical elements on the building. The drawings graphically indicate that CMUs are proposed for the stair tower features, however this is not clearly labeled in the material legend. Other design questions included the treatment of the building along the lake-facing corner of Gorham and Hancock Streets and the exposed concrete base of the building.

The applicant has confirmed that the base of the building will be poured concrete, not concrete masonry units as identified on the Plan Commission submittal. Staff noted concerns with the

height of the concrete base in the January 28, 2008 GDP staff report. The applicant notes that the visible building base is cast in place concrete with a specified architectural finish. The finish will incorporate some relief through the use of reveals and an expression of recessed small circles at the location of the concrete form ties. Additionally, the applicant notes the incorporation of perennial flowers and grasses in a narrow planter between the building and the sidewalk, wherever physically possible. Staff request that additional detail be provided along with final sign-off plans on this treatment.

The remaining palette of materials is largely the same, however some adjustment to the arrangement of these materials has been provided as the project moved through the Urban Design Commission process.

Zoning Text

Staff believe that the SIP zoning text should be revised to reflect previously established conditions and to provide additional specificity. In the approved GDP submittal, the applicant agreed to limit commercial uses to those in the C1 district, and specified that limited office uses would be allowed as an option in the upper floor of the Pinkus McBride Building. The permitted uses included in the current text is considerably broader in scope and includes a general statement permitting "other uses listed herein and in attached Letter of Intent and in future SIP applications". Such language should be removed. The text should also include the specific number of dwelling units and eliminate the qualifying language such as "approximate" in describing them. The applicant should eliminate similar vague language in the floor area ratio description. Specific changes are noted in the recommendation section of this report.

Inclusionary Zoning

The proposed building included in this proposed planned unit development will consist entirely of rental units, so the project is not subject to inclusionary zoning regulations.

CONCLUSION

Staff believe the proposed project is consistent with the approved General Development Plan and can meet the applicable review standards. The project has received final approval from the Urban Design Commission and staff request supplemental information is included prior to final plan sign off. Planning staff also recommend that further specificity is added to the zoning text as a condition of approval to ensure the use and density remains consistent with the approved General Development Plan.

RECOMMENDATION

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment

3347, rezoning 303 North Hamilton Street from PUD-GDP to PUD-SIP, to the Common Council with recommendation of **approval**, subject to input at the public hearing and the following conditions.

1. Comments from reviewing agencies
2. That the applicant revises the zoning text, subject to the approval of the Zoning Administrator and Planning Division. Revised text shall reflect the following:
 - a. *Statement of Purpose:* Eliminate qualifying language, such as the word “approximately”, in any description of dwelling units, square footage, parking stalls, and related items. These considerations shall be consistent with those shown on approved plans.
 - b. *Permitted Uses:* The permitted uses shall be consistent with those uses previously approved by the Plan Commission. Eliminate proposed “Permitted Use 3” that includes “other uses listed herein and in attached Letter of Intent and in future SIP applications”. Revise the list of other permitted uses to those approved as part of the GDP. GDP approval conditions specifically included:
 - Residential Uses as shown on approved plans,
 - Uses permitted in the C1 district only for the ground floor of the “Pinkus McBride Building”, and
 - Office uses permitted in the O1 zoning district only in the upper floor of the “Pinkus McBride Building” as a permitted alternative to the residential units approved on plans.
 - c. *Floor Area Ratio:* Eliminate all qualifying language such as “generally align” and “contemplates” in describing the FAR. Floor area ratio shall be consistent with that shown on approved plans.
 - d. *Accessory Off-Street Parking and Loading.* Eliminate references to the letter of intent. Include all relevant operational information in the zoning text. Note that approval of this specific implementation plan does not include approval for an on-street loading zone.
3. That the applicant revises the final elevation drawings, per staff approval, adding the following supplemental information:
 - a. Show rooftop mechanical penthouses and associated screening,
 - b. Clarify the location of building materials including location of concrete masonry units, which are not clearly labeled on plan set.
 - c. Correct title block on elevation drawings to indicate “SIP” not “GDP” submittal.
4. That the applicant includes supplemental detail on the concrete base treatment of the

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building.