

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of July 1, 2008**

RE: I.D. # 10651: Zoning Map Amendment ID 3371, Rezoning 9114 Ancient Oak Lane from R2T, R2Y & R2Z to R2T; I.D. #11131, Approval of the Preliminary Plat and Final Plat of First Addition to Linden Park, and; I.D. 10507, Various Vacations Related to the Replat

1. Requested Actions: Approval of a request to rezone approximately 10.7 acres generally located at 9114 Ancient Oak Lane from R2T, R2Y, R2Z (Single-Family Residence Districts) to R2T; approval of the preliminary and final plats of First Addition to Linden Park, replatting 57 single-family lots and 1 outlot for public stormwater management. ID 10507 is a related item that calls for the vacation of one platted street right of way, various public alley outlots and utility easements if the proposed replat is approved.
2. Applicable Regulations: Section 28.12 (9) provides the process for zoning map amendments; The subdivision process is outlined in Section 16.23 (5)(b) of the Subdivision Regulations.
3. Report Prepared By: Timothy M. Parks, Planner.

GENERAL INFORMATION

1. Applicants & Property Owners: Don Esposito, Great Neighborhoods West, LLC/ Veridian Homes; 6801 South Towne Drive; Madison.

Agent: Brian Munson, Vandewalle & Associates; 120 E. Lakeside Street; Madison.

Surveyor: Wayne Barsness, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.
2. Development Schedule: Implementation of the approved Linden Park subdivision is ongoing. A timeline for when implementation of the replat area would occur has not been determined.
3. Location: Approximately 10.7 acres located in the western half of the Linden Park subdivision south of Valley View Road on both sides of Redan Drive, Aldermanic District 1; Madison Metropolitan School District.
4. Existing Conditions: The replat area is currently undeveloped, though some grading of the site and utility extension has occurred. The current R2T, R2Y and R2Z zoning of the site reflects the zoning and subdivision approvals granted the Linden Park development in 2005.

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5. Proposed Land Use: 57 single-family lots, zoned R2T (Single-Family Residence District) and 1 outlot for public stormwater management.
6. Surrounding Land Use and Zoning: The replat area is generally surrounded by single-family lots in the Linden Park and Pine Hill Farms subdivisions, zoned R2S, R2T, R2Y and R2Z (Single-Family Residence Districts). The future site of Olson Elementary School is located at the southeast corner of Redan Drive and Ancient Oak Lane in C (Conservancy District) zoning.
7. Adopted Land Use Plan: The Mid Town Neighborhood Development Plan identifies the replat area and most of the Linden Park and adjacent Pine Hill Farms subdivisions for low-density residential uses, with the exception of the property located at the southeast corner of Redan Drive and Ancient Oak Lane, which is identified for institutional uses corresponding to the Olson Elementary School site. The subject site was also included in the Pioneer Neighborhood Development Plan and was also identified for low-density development in that plan.
8. Environmental Corridor Status: The property is not located within a mapped environmental corridor.
9. Public Utilities & Services: The proposed development will be served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for zoning map amendments, preliminary plats and final plats. If the proposed replat is approved, the Plan Commission is also asked to recommend approval of the vacation of the various public rights of way and utility easements to the Board of Public Works and the Common Council (ID 10507).

PREVIOUS APPROVALS

On February 1, 2005, the Common Council approved a request to rezone the subject 86.2 acres from Temp. A (Agriculture District) to R2T, R2Y, R2Z (Single-Family Residence Districts) and C (Conservancy District) and approved the preliminary and final plats of Linden Park, creating 261 single-family lots, 1 outlot for the future Olson Elementary School and various outlots for public parkland and stormwater management. The final plat was recorded on December 5, 2005.

One of the 261 lots, Lot 55, was further subdivided in 2006 following the demolition of a single-

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family residence on that parcel. The resulting four-lot land division raised the overall unit count in Linden Park to 264 single-family lots.

PLAT REVIEW

The applicants, Great Neighborhoods West, LLC/Veridian Homes, are requesting approval to replat 74 platted but undeveloped single-family residential lots in the Linden Park subdivision into 57 lots and to rezone the existing lots from a mix of R2T, R2Y and R2Z single-family zoning to all R2T zoning. Of the lots to be rezoned, 36 are currently zoned R2Y and 30 are zoned R2Z. The replat will also result in an approximately 200 square-foot increase in the size of a public stormwater management outlot located along the western edge of the Linden Park plat west of Moonlight Trail and south of Ancient Oak Lane. Overall, the proposed replat will affect about four and a half blocks located in the western half of the Linden Park development on both sides of Redan Drive and to the north and west of the soon-to-open Paul Olson Elementary School.

The proposed replat will also necessitate the vacation of the platted right of way of Moonlight Trail and four mid-block public alley rights of way originally intended to serve the alley-loaded residences on the R2Y- and R2Z-zoned lots previously established. None of the rights of way to be vacated have been constructed, and the replat proposes to reestablish Moonlight Trail on a slightly varied alignment. A number of previously platted utility easements will also be released, with new utility easements proposed in their place as part of the replat.

The applicants indicate that the replat is in response to market conditions on the west side of the City, where alley-loaded single-family homes are not as in high demand as they are in other areas, as well as a desire to rebalance the mix of lot types they have available in the market. The R2T, R2Y and R2Z single-family zoning districts differ in regard to the minimum required lot area and lot width and in the design and location of garages to the serve the residences. The 57 R2T-zoned lots proposed will be developed with single-family residences containing attached garages facing the public street. R2T zoning requires that a ground-floor entry face the street and that front-loaded garages be recessed two feet from the front façade, with no more than 50% of the width of the front facade occupied by the garage.

The proposed replat of the four and a half blocks of the Linden Park subdivision will reduce the overall density of the 86.2-acre subdivision from 264 single-family lots and 8.3 units an acre to 247 lots and 7.7 units an acre. Of the 247 lots now proposed, 108 have been developed or are in some stage of development in Phases 1-5. The replat area is included in portions of Phases 6, 8, 9 and 10 based on a revised phasing plan included with the application materials.

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Inclusionary Zoning

The applicants have submitted an Inclusionary Dwelling Unit Plan (IDUP) for the replatted portion of the larger Linden Park plat that proposes 8 of the 57 lots (14.0%) to be developed as affordable units. The applicants contend that the provision of inclusionary dwelling units within the replat area should be taken in context with the inclusionary zoning requirements of the larger Linden Park subdivision. While the replat area is deficient one inclusionary dwelling unit (15% of 57 equals 8.55, which rounds up to 9), the applicants indicate that when the larger subdivision is factored, the project provides the required number of affordable units. The Linden Park subdivision following the proposed replat would contain 247 dwelling units, which in turn would require approximately 37 inclusionary dwelling units. In addition to the 8 affordable units in the replat, the developer has provided 29 affordable units elsewhere in the subdivision, which equals the 37 inclusionary dwelling units required.

The larger questions related to inclusionary zoning are the results of the gap analysis and subsequent waiver analysis being conducted by the Community Development Block Grant Office whether these analyses should apply to the entire 247-lot Linden Park plat or just the areas subject to the rezoning and replat. Staff believes that the First Addition to Linden Park subdivision may need to stand on its own from the larger Linden Park subdivision because the latter was approved under the inclusionary zoning regulations of Sec. 28.04 (25). The proposed replat and IDUP, however, involves a separate rezoning request subsequent to the earlier application and will need to be considered under the more recent inclusionary zoning provisions of Sec. 28.04 (26) adopted in July 2006. As a result, the project is short one affordable unit. The 8 units that have been provided are well dispersed throughout the replat area and staff will work with the developer on the location of the ninth unit prior to the recording of a Land Use Restriction Agreement for the replat area.

Staff has determined that the rezoning and replat will not be receiving a density bonus. The 57 lots will occupy 9.36 net acres of land, which results in a density of 6.09 units an acre. The threshold for determining base density in the replat defers to the existing R2T, R2Y and R2Z zoning of the properties, which have a base density range of 8.72, 10.89 and 12.45 units an acre, respectively.

A report from the Community Development Block Grant Office regarding the proposed IDUP's compliance with the Inclusionary Zoning Ordinance will be provided for the Plan Commission to consider at its meeting.

EVALUATION & CONCLUSION

The Planning Division does not object to the proposed replat, which will result in a slightly lower density overall for the Linden Park subdivision and less diversity in single-family housing types within the development. However, staff feels that there is still an acceptable variety of lots both within the Linden Park plat in the areas outside the proposed replat and in the neighborhoods generally surrounding Linden Park. Staff believes that the 247-lot subdivision that will result from the proposed replat will continue to conform to the land use and density recommendations of the Pioneer and Mid Town Neighborhood Development Plans.

RECOMMENDATIONS

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 3371, rezoning 9114 Ancient Oak Lane from R2T, R2Y and R2Z (Single-Family Residence Districts) to R2T, and the preliminary and final plats of First Addition to Linden Park to the Common Council with recommendations of **approval** subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant submit a final Land Use Restriction Agreement(s) and Inclusionary Dwelling Unit Plan for the proposed replat prior to recording of the final plat as required by the Planning Division and Community Development Block Grant Office. If a ninth lot is required for the replat area, the location of that lot shall be subject to approval by the Planning Division and Community Development Block Grant Office.

If the Plan Commission recommends approval of the above zoning map amendment and replat to the Common Council, it should also recommend **approval** to the Board of Public Works of ID 10507, vacating Moonlight Trail, 4 public alley outlots and various public utility easements related to the existing Linden Park subdivision.