



## Report to the Plan Commission

September 14, 2009

Legistar I.D. #15522  
1 Hawks Landing Circle  
PUD-GDP-SIP Amendment

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

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**Requested Action:** Approval of a request a major alteration to an approved Planned Unit Development General Development Plan/ Specific Implementation Plan to allow construction of a 30-unit apartment building in place of a previously approved office building at 1 Hawks Landing Circle.

**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 Amendments 3447 & 3448, rezoning 1 Hawks Landing Circle from PUD-SIP to Amended PUD-GDP-SIP, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

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### Background Information

**Applicant & Property Owner:** Jeff Haen, JAKS Investments, LLC; PO Box 44129, 9 Hawks Landing Circle; Madison.

**Agent/ Contact:** J. Randy Bruce, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

**Proposal:** The applicant and property owner wishes to amend the approved PUD-SIP for this site to allow a 30-unit apartment building to be constructed in place of a 30,000 square-foot office building previously approved for this site. The applicant wishes to commence construction of the apartment building in Fall 2009, with completion anticipated in Spring 2010.

**Parcel Location:** The proposed apartment building will be constructed on approximately 0.7 acres of a larger 11.2-acre site located at the northeastern corner of Hawks Landing Circle and Mid Town Road; Aldermanic District 1; Madison Metropolitan School District.

**Existing Conditions:** The location of the proposed apartment building is currently undeveloped. The larger 11.2-acre subject site is developed with four other primarily multi-family residential buildings.

**Surrounding Land Use and Zoning:**

North: 38-unit apartment building (85 Hawks Landing Circle), zoned PUD-SIP; Hawks Landing golf course and swimming and tennis club, zoned R1 (Single-Family Residence District);

South: 20-unit apartment building with first floor commercial space (9-27 Hawks Landing Circle), zoned PUD-SIP; single-family residences across Mid Town Road, zoned Temp. A (Agriculture);

East: Two 38-unit apartment buildings (53 & 59 Hawks Landing Circle), zoned PUD-SIP;

West: Crosswinds at Hawks Landing Condominiums, zoned PUD-SIP.

**Adopted Land Use Plan:** The Mid-Town Neighborhood Development Plan recommends the site for the location of a neighborhood-serving mixed-use center primarily intended to serve the residents of the surrounding developments. This mixed-use area was envisioned in the neighborhood development plan to consist of 10,000-20,000 square feet of non-residential development with approximately 150 multi-family dwelling units.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor. The Hawks Landing golf course located immediately northeast of the 11.2-acre subject site is located in a mapped environmental corridor.

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

**Zoning Summary:** The site is currently zoned PUD-SIP. The proposed amendment will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design, Utility Easements, Barrier Free
No:	Floodplain, Wellhead Protection, Waterfront Development, Landmarks
Prepared by: Pat Anderson, Asst. Zoning Administrator	

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## Previous Approvals

On February 15, 2000, the Common Council approved the final plat of Hawks Landing Golf Club on 533 acres of land located west of CTH M on the north side of Mid Town Road as well as the rezoning of 11.2 acres located a half-mile west of CTH M on the north side of Mid Town Road to PUD-GDP zoning.

On October 7, 2003, the Common Council approved a rezoning of the 11.2-acre site from PUD-GDP to Amended PUD-GDP-SIP to allow construction of a 30,000 square-foot office building, two mixed-use buildings each containing approximately 10,000 square feet of first floor retail-office space and 20 multi-family dwelling units and three 38-unit multi-family buildings.

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## Project Analysis & Conclusion

The applicant is requesting a major alteration to the planned unit development zoning for Lot 62 of the Hawks Landing Golf Club subdivision to allow construction of a three-story, 30-unit apartment building in place of a previously approved three-story, 30,000 square-foot office building. The apartment building will be constructed on an approximately 0.7-acre area located along the east side of Hawks Landing Circle about 600 feet north of Mid Town Road. The project is part of a larger 11.2-acre parcel approved for the development of six buildings, including the previously proposed office building, three 38-unit multi-family buildings and two mixed-use buildings each containing approximately 10,000 square feet of first floor retail-office space and 20 multi-family dwelling units. At this time, all three of the 38-unit multi-family buildings and one of the two mixed-use buildings have been constructed.

The proposed 30-unit apartment building will generally be perpendicular to Hawks Landing Circle and opposite the northernmost 38-unit apartment building on the site across one of two private driveways that serve the Lot 62 development and will occupy the same general footprint as the 30,000 square-foot

office building previously approved for this portion of Lot 62. The 30-unit building will consist of 3 studio units, 16 one-bedroom units, including 3 with loft spaces above the third floor, and 11 two-bedroom units to be located above a 27-stall under-building parking garage. In addition, the developer proposes to construct 12 surface parking stalls on the east side of a private drive that provides access to the under-building parking for the mixed-use building located south of the proposed apartment building. The 30 apartments will also share 30 existing surface stalls located along the entrance drive between the 38-unit building to the north and the proposed building.

In general, the change in use of this portion of the Lot 62 PUD from offices to apartments should have little impact on the overall character of the 11.2-acre site. The 30-unit building will be constructed with a combination of brick veneer and vinyl siding and in an architectural style consistent with the five other multi-family and mixed-use buildings approved or constructed on the subject parcel. Similarly, landscaping for the building calls for the installation of a variety of shade, ornamental and coniferous trees as well as shrub and perennial plantings around the base of the building in a pattern that will generally follow the master planting plan approved with the previous specific implementation plan for Lot 62 site in 2003.

In reviewing the proposed amendment to the PUD for Lot 62 of Hawks Landing Golf Club, the Planning Division believes that the standards for approval can be met. The subject site was originally envisioned in the Mid-Town Neighborhood Development Plan for development as a neighborhood-serving mixed-use center for residents of Hawks Landing and other nearby future developments with between 10,000 to 20,000 square feet of non-residential development as well as approximately 150 multi-family dwelling units. A note on the original 2000 general development plan approval for Lot 62 limited non-residential development to 10,000 gross square feet. The 2003 approval for Lot 62 amended the general development plan to increase the non-residential square footage in the two mixed-use buildings to approximately 10,000 square feet per building (19,450 square feet total) and introduced the 30,000 square-foot office building into the mix of uses on the site. The number of dwelling units to be developed on Lot 62 was also slightly increased to 154 units, for a net density of 13.75 units per acre for the 11.2-acre site. While the proposed alteration to replace the office building with 30 additional dwelling units represents a modest increase in dwelling units on the overall site, staff believes that the resulting mix of uses more closely hews to the type of development originally envisioned for this site in the 1999 Mid-Town Neighborhood Development Plan despite a 16.4 unit per acre net density, which slightly exceeds the 12-16 unit per acre density envisioned for this site in the adopted neighborhood development plan.

The Urban Design Commission recommended final approval of the amended PUD-GDP-SIP on August 5, 2009 (see attached report).

#### Staff Recommendations, Conditions of Approval & General Ordinance Requirements

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 3415-3416, rezoning 1 Hawks Landing Circle from PUD-SIP to Amended PUD-GDP-SIP, with a recommendation of **approval** subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That the applicant work with the Planning Division and Zoning Administrator prior to final approval and recording of the planned unit development to develop an enumerated list of permitted commercial and office uses for the zoning text. [Staff believes that it would be best going forward to approve PUD zoning texts with such use lists so as to avoid references to the existing Zoning Code, which is currently being rewritten and will likely have different, more contemporary use lists.]
2. The revised zoning text shall also specifically identify "Multi-family residential uses as shown on approved plans" as a permitted use.

The following conditions have been submitted by reviewing agencies:

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

3. Upper Badger Mill Creek impact fees are due and payable unless paid previously.
4. Submit a PDF of all floor plans to Lori Zenchenko, [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com), so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
5. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
6. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; provide substantial thermal control; provide oil & grease control from the first 1/2" of runoff from parking areas, and; complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.
7. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
8. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

9. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
10. 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.

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

11. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.

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

12. Parking requirements for persons with disabilities must comply with Section 28.11 (3)6.(m), MGO, which includes all applicable State accessible requirements.
13. Bike parking shall comply with MGO Section 28.11: Provide one bike parking stall for each apartment (30 additional) 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 2' by 6' with a 5-foot access area.
14. Off-street parking requirement shall comply with MGO Section 28.11: Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Call out on final plans surface parking devoted to Bldg "A".
15. Lighting is required and shall be in accordance with MGO 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 maximum light trespass shall be 0.5 footcandle at 10 feet from the adjacent lot line. (See City of Madison Lighting Ordinance).
16. The zoning text under "A" permitted uses shall include "accessory uses to the permitted uses above." The text under "B" shall state "Planned Unit Development" instead of "Planned Community Development".
17. Signage must be approved by the Urban Design Commission or staff. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.

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

18. The developer shall pay \$59,791.50 for park dedication and development fees for the additional 30 multi-family units. The developer must select a method for payment of park fees before signoff on the rezoning. The park fees shall be paid prior the issuance of building permits.

Park Dedication required for the multi-family units = 30 units at 700 square feet per unit = 21,000 square feet. The Fee in Lieu of Dedication is based on current property values up to \$2.01 per square foot for 2009 = \$42,210.00. Park development fees = 30 units at \$586.05 = \$17,581.50 = \$59,791.50.

**Fire Department** (Contact Scott Strassburg, 261-9843)

19. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows: The site plans shall clearly identify the location of all fire lanes.

**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.