

PLANNING DIVISION STAFF REPORT

January 3, 2014

PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION



Project Address: 2502 Jeffy Trail
Application Type: Conditional Use Alteration
Legistar File ID # [31303](#) and [31499](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Dennis Grosse, NGM, LLC; 7507 Hubbard Avenue; Middleton.

Agent: Tim Schleeper, Vierbicher; 999 Fourier Drive, Suite 201; Madison.

Requested Action: Approval of a major alteration to an approved conditional use for a residential building complex at 2502 Jeffy Trail to revise building types and reduce the density of the development.

Proposal Summary: The applicant wishes to revise the plans for the Mill Creek Condominiums residential building complex to change the unit mix from a series of two-family and four-unit multi-family residences to a mix of single- and two-family residences, which will reduce the density of the project from 30 units to 26. Construction of the condominium development is ongoing, with completion of the development dependent on market absorption of the various units.

Applicable Regulations & Standards: Table 28C-1 in Section 28.032(1) of the Zoning Code identifies residential building complexes as a conditional use in the SR-V2 (Suburban Residential–Varied 2) zoning district subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Review by the Urban Design Commission is required per Section 33.24(4)(c) of the Urban Design Commission ordinance.

Review Required By: Urban Design Commission and Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a major alteration to an approved conditional use for a residential building complex at 2502 Jeffy Trail following a recommendation by the Urban Design Commission and subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site is an approximately 5.3 acre parcel located 400 feet south of Flagstone Drive on the west side of Jeffy Trail; Aldermanic District 1 (Subeck); Madison Metropolitan School District.

Existing Conditions and Land Use: The site is developed with a four-unit multi-family building and 3 two-family residences located on the eastern third of the SR-V2 (Suburban Residential–Varied 2 District) zoned site.

Surrounding Land Use and Zoning:

North: Kettle Ridge Condominiums, zoned SR-V2 (Suburban Residential–Varied 2 District);

South: Flagstone Park, zoned SR-C2 (Suburban Residential–Consistent 2 District); Dane County’s Ice Age Trail Junction Natural Resource Area in the Town of Verona;

East: Single-family lots and an outlot for public stormwater management in the Hawks Creek subdivision, zoned TR-C3 (Traditional Residential–Consistent 3 District);

West: Woodland Fields Apartments, zoned SR-V2 and Flagstone Park, zoned SR-C2.

Adopted Land Use Plans: The High Point-Raymond Neighborhood Development Plan recommends that the subject site be developed with medium-density residential uses as generally as generally approved as part of the zoning and platting of the Hawks Creek subdivision.

Zoning Summary: The property is zoned SR-V2 (Suburban Residential–Varied 2 District):

| Requirements | Required | Proposed |
|---|---|---|
| Lot Area | 106,000 square feet | 230,844 square feet, existing |
| Lot Width | 50’ | 225’, existing |
| Usable Open Space | 500 sq. ft. per dwelling unit (13,000) | 21,728 sq. ft. |
| Front Yard | 25’ | Adequate |
| Side Yards | One-story: 5’ Two-story: 6’ | Adequate |
| Rear Yard | Lesser of 25% of lot depth or 30’ | <i>Requests reduction along west P/L</i> |
| Maximum Building Height | 2 stories and 35’ | Will comply |
| No. of Parking Stalls | 1 per dwelling unit | Adequate |
| No. of Accessible Parking Stalls | N/A for residential | --- |
| Maximum Lot Coverage | 60% | (See proposed conditions) |
| Building Form | Single- family detached & two-unit twin | (See proposed conditions) |
| | | |
| Other Critical Zoning Items | | |
| Yes: | Urban Design, Utility Easements, Barrier Free, Adjacent to Parkland | |
| No: | Wellhead Protection, Floodplain, Landmarks, Waterfront Development | |
| <i>Prepared by: Tim Parks, Planning Division and Pat Anderson, Assistant Zoning Administrator</i> | | |

Environmental Corridor Status: The property is not located within a mapped environmental corridor (Map B11).

Public Utilities and Services: The site is served by a full range of urban services.

Previous Approvals

On May 16, 2006, the Common Council approved a request to rezone 45.3 acres located at 3120-3160 Jeffy Trail from Temporary A (Agriculture District) to R1 and R2T (Single-Family Residence Districts) and R4 (General Residence District), and; approval of a preliminary plat creating lots 76 single-family lots, 2 lots for future multi-family development and 6 outlots for public stormwater detention and parkland and future development. The site is comprised of 3 lots that were annexed into the City of Madison from the Town of Verona on March 21, 2006.

On February 27, 2007, the Common Council approved the final plat of Second Addition to Hawk’s Creek creating 1 single-family lot, the subject multi-family lot and 8 outlots for future development, stormwater management and public parkland.

On July 9, 2007, the Plan Commission approved a conditional use for a planned residential development at 2502 Jeffy Trail to allow construction of 30 condominium units in 10 two-unit or four-unit buildings.

Project Description

The applicant is requesting approval of a major alteration to an approved conditional use for a residential building complex located at 2502 Jeffy Trail on Lot 77 of the Hawks Creek subdivision. The proposed alteration calls for 6 single-family residences and 4 two-family residences to be constructed on the western two-thirds of the approximately 5.3-acre Mill Creek Condominium development.

As noted in the preceding section, 10 buildings were approved for the site in 2007, which were comprised of 5 two-family residences and 5 four-unit townhouses for a total of 30 dwelling units. Access to the 30 units would be provided by private roads extending into the site from public Jeffy Trail, with maintenance of the private roads to be provided by the condominium association. To date, 4 two-family residences and 1 four-unit building have been constructed on the eastern portion of the site closest to Jeffy Trail.

The applicant is requesting the proposed change in unit types and corresponding reduction in overall density from 30 units to 26 units due to changing market demand. The proposed alteration generally maintains the placement of an unconstructed two-family building along Mill Creek Drive on the southern edge of the site but calls for [private] Tail Water Drive to be relocated further east into the development than where it was previously approved. The alteration proposes to replace 4 unconstructed four-unit buildings with 3 additional two-family buildings and the 6 single-family residences. The two-family residences now proposed will be located between relocated Tail Water Drive and the western property line. The buildings proposed on the perimeter of the site will maintain an approximately 27-foot minimum setback from the western, rear property line, a 40-foot setback from the southern, side property line, and a minimum 30-foot side yard along the northern property line, which abuts a partially developed condominium development to the north. The 6 single-family units now proposed in the center of the subject site replace the remaining previously approved four-unit buildings.

The proposed buildings will stand one-story in height with finished lower levels and will include a minimum of 3 bedrooms and attached two-car garages accessed from the internal network of private roads. Exterior finishes will include a combination of cultured stone and horizontal vinyl siding as shown on the elevations submitted with the application materials.

Analysis & Conclusion

This application is subject to the conditional use standards of Section 28.183(6). A residential building complex is defined as "a group of two or more residential buildings on a single parcel or tract of land, developed under single ownership and common management." The supplemental regulations for a residential building complex (as applicable in the SR-V2 zoning district) are:

- (a) Recreational areas may be required to serve the needs of the anticipated population.
- (b) Setback requirements may be reduced as part of the conditional use approval, provided that equivalent open space areas are provided.
- (c) Minimum distances between buildings shall equal the combination of the required side yards for each building, unless reduced by the Plan Commission as part of the conditional use approval.

- (d) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (g) Shall be reviewed by the UDC pursuant to Sec. 33.24(4)(c), MGO.
- (h) All Residential Building Complexes shall be submitted with a plan for building placement, circulation, access and parking, and information on the architectural design of the development.
- (i) Each building in a Residential Building Complex shall provide the lot area and usable open space required for the building type by the zoning district.

The Planning Division believes that the conditional use standards can be met for the amended residential building complex, though the applicant will be required to ensure that the lot coverage maximum in the SR-V2 zoning district is met prior to final approval of the revised plans and issuance of building permits. The proposed 5.0-unit per acre density of this project is well below the medium-density residential land use recommendation for the site contained in the High Point-Raymond Neighborhood Development Plan, which calls for densities greater than or equal to 15 units per acre for medium-density developments. The proposed development should result in an attractive project that will create a good transition from the Hawks Creek subdivision to the nearby Ice Age Trail corridor and public open space.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a major alteration to an approved conditional use for a residential building complex at 2502 Jeffy Trail following a recommendation by the Urban Design Commission and subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

1. Revise the plans for final Planning Division approval prior to the issuance of permits for the first building in the amended residential building complex as follows:
 - a. Revise the conceptual elevations to show compliance with the building form requirements for two-family twin buildings in Section 28.172(4) of the Zoning Code; Compliance with this section will also be confirmed as part of the review of building permits for the new buildings prior to permit issuance;
 - b. Provide a lot coverage calculation for the overall residential building complex that includes the entire 5.3-acre property;
 - c. Revise the overall landscaping plan to change the deciduous tree plantings around the perimeter of the site (including the northern boundary line south of the shared driveway) to burr, white, Schuettei or swamp white oak trees measuring three to four-inches caliper at the time of planting to be consistent with the tree preservation and planting requirements for the Hawks Creek subdivision and previous conditional use approval for this site;
 - d. Revise the overall landscaping plan for the 40-foot buffer along the southern line of the subject site to provide a continuous line of trees to screen the project from the Ice Age Trail corridor as previously required. All shade trees proposed shall be those requested in the preceding condition and include additional conifers to provide year-round screening along that line.

The following conditions of approval have been submitted by reviewing agencies:

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

2. The plans indicate removing 16 declared condominium units, re-creating 12 new condo units and revising 4 declared units. The Addendum to the Condominium Plat and Amendment to the Condominium Declaration for Mill Creek Estates Condominium shall be recorded prior to building permit issuance.
 3. The site revises private named driveway configurations. "Millers Way" has been approved for the new private street name.
 4. The applicant shall submit for a revised stormwater management and erosion control plans that match the revised layout.
 5. The removed units 5 thru 24 will be obsoleted and the new 17 units (units 31 thru 47) will receive new parcel identification numbers and new addresses when the condo amendment is recorded.
 6. This property is subject to deferred assessments when connection to the public sanitary sewer system is provided and the existing private lift station is retired. The applicant shall work with City Engineering to reapportion the existing preliminary assessments on file to the proposed parcels. Provide a copy of the existing / proposed condo documents to assist the City with the reapportioning of these assessments.
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7. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
 8. 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.
 9. Prior to approval, this project shall comply with MGO Section 37 regarding stormwater management. Specifically, this development is required to 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 Section 37 of Madison General Ordinances.
 10. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the City Engineering Division. (Lori Zenchenko) izenchenko@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. E-mail 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.

11. 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).
12. Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

13. When the applicant shall submit 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 and proposed 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, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'. Contact Traffic Engineering staff if you have questions.
14. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City-owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs, including engineering, labor and materials for both temporary and permanent installations.
15. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
16. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not provide comments for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

17. Madison Fire Department recommends the installation of a residential fire sprinkler system in accordance with NFPA 13D and SPS 382.40(3)(e).

Water Utility (Contact Dennis Cawley, 261-9243)

18. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

19. Park development impact fees were paid in 2007 for the original 20 multi-family units and 10 single-/ two-family units; parkland was also dedicated (addition to Flagstone Park) to meet the parkland dedication requirement for the Second Addition to Hawk's Creek. Based on the change in units, the developer shall pay approximately \$1,768.04 in additional park development impact fees, and \$5,140.00 in fee in lieu of dedication for the additional 2,000 square feet of parkland dedication required with the new unit mix, for a total of \$6,908.04 in park impact fees. The developer must select a method for payment of park fees before

signoff on the conditional use. This development is within the Elver park impact fee district (SI31). Please reference ID# 06126.3 when contacting Parks Division staff about this project.

Park dedication fees for 2014 are \$1,799.00 per multi-family unit; park development fees in 2014 are \$662.95 per multi-family unit for a combined fee of \$2,461.95. Park impact fees are adjusted on January 1 of each calendar year, and the park impact fees due at the time of building permit issuance may be higher than the amounts stated above to reflect these annual adjustments.

20. Approval of the 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. All proposed street tree removals within the right of way shall be reviewed by City Forestry.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.