

PLANNING DIVISION STAFF REPORT

June 23, 2014



PREPARED FOR THE PLAN COMMISSION

Project Address: 5115 N. Biltmore Lane
Application Type: Conditional Use
Legistar File ID # [34163](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: University of Wisconsin Hospitals and Clinics Authority; 600 Highland Avenue; Madison; Ralph Turner, representative; Andrew Howick, contact person.

Requested Action: Approval of a conditional use to allow construction of a rehabilitation hospital at 5115 N. Biltmore Lane in the American Center.

Proposal Summary: The applicant, UW Health, proposes to construct a two-story, 58,000 gross square-foot rehabilitation hospital on a parcel located southeast of its new 494,000 square-foot hospital across a private access drive that provides access to American Family Mutual Insurance Company's corporate headquarters complex. Construction of the adjacent main hospital is scheduled to be completed later this year; completion of the subject rehabilitation hospital is scheduled one year following the start of construction.

Applicable Regulations & Standards: Table 28-F1 in Section 28.082(1) identifies hospitals as a conditional use in the SEC (Suburban Employment Center). Section 28.183 of the Zoning Code provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a rehabilitation hospital at 5115 N. Biltmore Lane in the American Center 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 a 10.2-acre parcel located on the north side of N. Biltmore Lane at Eastpark Boulevard. Access to the site will be provided from N. Biltmore Lane per an access restriction placed on the final plat that created the parcel.

Existing Conditions and Land Use: The subject site is undeveloped, zoned SEC (Suburban Employment Center).

Surrounding Land Use and Zoning:

North: American Family Insurance's national headquarters, zoned SEC (Suburban Employment Campus District); undeveloped lands, zoned SEC and A (Agricultural District);

South: Alliant Energy office building, zoned SEC;

East: Multi-tenant office buildings, undeveloped lots, and American Family Drive, all zoned SEC;

West: UW Health East Hospital (under construction) and undeveloped land (west and south of Eastpark Boulevard), zoned SEC.

Adopted Land Use Plans: The Comprehensive Plan identifies the subject site and the American Center development west of American Parkway for Employment uses.

The Rattman Neighborhood Development Plan recommends the site and same general area of the American Center for office development.

Zoning Summary: The site is zoned SEC (Suburban Employment Center District):

Requirements	Required	Proposed
Lot Area	1 acre	10.2 acres
Lot Width	100'	757.4' +/- on N. Biltmore Lane
Front Yard	25'	218'
Side Yards	15' or 20% of building height	Adequate
Rear Yard	30' or 45% of building height	Adequate
Maximum Lot Coverage	Maximum 75%	See Zoning condition
Maximum Building Coverage	Maximum 50%	13%
Floor Area Ratio	1.0	Adequate
Minimum Building Height	22' to building cornice	32'
Maximum Building Height	N/A	---
Auto Parking	No minimum	135
Bike Parking	1 per 2,000 sq. ft. of floor area (24)	29 – See Zoning condition
Building Forms	Civic/ Institutional Building	Will comply
Other Critical Zoning Items		
Yes:	Barrier Free, Utility Easements	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development	
Prepared by: Pat Anderson, Asst. Zoning Administrator		

Environmental Corridor Status: A mapped environmental corridor extends along a portion of the westerly edge of the subject site roughly parallel to a public stormwater greenway that extends southwest from the ridge on which the American Family Insurance headquarters complex is located (see Map G4). The greenway exists in a public easement of varying width that straddles the northwesterly property line of the subject site. The private drive that extends between public Eastpark Boulevard and private American Family Drive on the adjacent outlot crosses this environmental corridor.

Public Utilities and Services: The property is served by a full range of urban services with the exception of Metro Transit service. However, the extension of Metro service to serve this portion of the American Center development is anticipated concurrent with the opening of the nearby UW Health East hospital facility in 2014 per an unrelated agreement between the City and UW Health.

Previous Approval

On October 29, 2013, the Common Council approved the final plat of The American Center–Hanson Second Addition, creating 1 lot for the future development of a rehabilitation hospital and 1 outlot for an existing private access drive from an unplatted parcel generally addressed as 4698 Eastpark Boulevard. The hospital lot,

Lot 59, was approved with a vehicular access restriction prohibiting access for this lot from Eastpark Boulevard or to N. Biltmore Lane for the first 150 feet of lot frontage east of Eastpark Boulevard.

Project Description

The University of Wisconsin Hospitals and Clinics Authority (UHCA) is requesting conditional use approval to allow construction of a two-story, approximately 58,000 square-foot rehabilitation hospital on an approximately 10.2-acre lot at the northeasterly corner of Eastpark Boulevard and N. Biltmore Lane in the American Center development. The proposed facility will include approximately 50 inpatient beds and various treatment and therapy spaces as generally noted in the application materials, including courtyards located adjacent to a dining room and a therapy room. The rehabilitation hospital will be operated jointly by UHCA and a third-party healthcare group. Parking for a total of 136 parking stalls are shown on Sheet C3.01 of the plan set, with 2 driveways proposed to connect to N. Biltmore Lane.

Analysis and Conclusion

Hospitals are identified as conditional uses in the SEC (Suburban Employment Center) zoning district. Conditional uses are generally understood as uses permitted in a zoning district that are of such a special or unique character that their operation may create impacts on neighboring properties or public facilities. The standards that apply to conditional uses are intended to minimize these impacts and ensure that the proposed use will not be detrimental to or endanger the public health, safety or general welfare, or substantially impair or diminish the uses, values and enjoyment of nearby properties. The standards also allow the City to consider the ability to provide municipal services to the proposed conditional use. Large-scale employment uses have always been envisioned for the American Center, as reflected in the 1992 Rattman Neighborhood Development Plan and later in the 2006 Comprehensive Plan. However, hospitals were identified as a conditional use in the former O-4 zoning district when they were added to the use list of that district in 2005 so that a discussion could occur on the potential impacts such a use could have its surroundings and the City's ability to serve them.

The rehabilitation hospital should be considered a separate but complementary facility to the 494,000 square-foot UW Health East hospital currently being constructed to the northwest on a 41.5-acre parcel located at Eastpark Boulevard and Portage Road, which includes 1,100 parking stalls and a helipad. Discussion of that project in early 2013 invited a more robust discussion of the potential impacts on the normal and orderly development of the surrounding area and the sufficiency of particularly the transportation infrastructure to serve that larger, more regional healthcare facility, including the lack of transit service in this area.

However, in the case of the conditional use for the proposed 58,000 square-foot rehabilitation hospital, Planning staff believes that the standards for approval can be met. In addition to the scale and scope of the rehabilitation hospital being more limited than the larger facility located adjacent, many of the agreements reached to allow the larger hospital to proceed will secondarily benefit the continued development of the American Center, including the subject proposal. While continued development of the American Center may require modifications to the City's transportation infrastructure as suggested in a major/ non-standard comment from the Traffic Engineering Division, the extension of Madison Metro service to serve the larger hospital (which will include service at least every 30 minutes year round for the entire span of transit service operated each day – roughly 111 hours per week), will also provide improved multi-modal access for the rehabilitation hospital. As conditions of approval for this project, Metro is requesting installation of a bus passenger boarding pad and bench along the Eastpark Boulevard adjacent to the subject site.

The rehabilitation hospital has also submitted a Transportation Demand Management (TDM) plan that is patterned on the TDM approved by the Plan Commission in February 2013 for the larger hospital. The proposed TDM includes free transit passes for the anticipated 68 employees of the facility, as well as covered bike parking and reserved spaces for employees that carpool/ vanpool to the facility. With the introduction of full-scale transit service into this portion of the American Center and the proposed TDM, staff feels that conditional use standards 5 and 6 are more than adequately met with this proposal.

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 conditional use to allow construction of a rehabilitation hospital at 5115 N. Biltmore Lane in the American Center subject to input at the public hearing and the following conditions:

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

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

1. Construction of a new boulder wall is shown within the City of Madison Permanent Limited Easement for Public Storm Water Drainage Purposes per Doc No. 4337650. A condition of the easement is that any grade change or structure constructed within the easement requires written approval by the City of Madison Engineering Division. A Consent to Occupy Easement document may be required to allow the installation of the retaining wall within the easement and set out maintenance requirements. If required, the easement would be administered by the City of Madison Office of Real Estate Services. Contact Greg Fries of City of Madison Engineering at 267-1199 to discuss the proposed site improvements within the easement area.
2. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
3. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.
4. All work in the public right of way shall be performed by a City-licensed contractor.
5. All damage to the pavement on Eastpark Boulevard and N. Biltmore Lane adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
6. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
7. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.

8. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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. Effective January 1, 2010, the Wisconsin Department of Commerce's authority to permit commercial sites for stormwater and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the WDNR prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement. The City of Madison cannot issue an erosion control and stormwater management permit until concurrence is obtained from the WDNR.
10. Prior to final approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: control 80% TSS (5 micron particle) off of new paved surfaces; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; 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.
11. 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.
12. 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).
13. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
14. 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 Eric Halvorson, 266-6527)

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| 15. Additional future transportation modifications are likely to be needed within the American Center development. The applicant shall expect future assessments per the City of Madison's assessment policies. |
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16. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and

across street from the project lot location; parking stall dimensions, including 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.

17. 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.
18. 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.
19. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

20. The Zoning Code requires 24 bicycle parking stalls (1 per 2,000 sq. ft floor area) for the project. Per Sec. 28.141(11), *Bike Parking Design and Location*, bike parking shall be located in a safe and convenient location on an impervious surface, with at least 90% of the requirement (22 spaces) located within 100 feet of the principal entrance. Provide a detail of the proposed bike rack.
21. Pursuant to Sec. 28.142(3)&(6), *Landscape Plan and Design Standards*: Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect. Provide a planting island at least every 12 contiguous stalls with no break, or alternatively, landscaped strips at least 7 feet wide between parking bays.
22. Provide lot coverage details and calculations on final plans.

Fire Department (Contact Bill Sullivan, 261-9658)

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 261-9243)

23. 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)

This agency did not provide comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

24. In coordination with public works improvements, the applicant shall install a new concrete passenger boarding pad on the east side of Eastpark Boulevard, north of Biltmore Lane. The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb.

25. The applicant shall install and maintain a bench seating amenity in the adjacent property landscape plan, generally across the sidewalk from the new concrete boarding pad. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design. *[See attached Metro exhibit showing location of these 2 improvements.]*
26. Note: The University of Wisconsin Hospital and Clinics Authority has secured operational funding to support an expansion of Metro Transit bus routes to serve the previously approved development to the northwest of this project, effective no later than the opening date of that facility. The conceptual route design is anticipated to also pass by this project site.