



Report to the Plan Commission

January 14, 2013

Legistar ID #28537
5302 Tancho Drive
PUD-GDP-SIP Amendment

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

Requested Actions: Approval of a request to rezone property generally addressed as 5302 Tancho Drive from Planned Unit Development-General Development Plan (PUD-GDP) to Amended Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of an apartment complex containing 263 dwelling units. [The application was submitted with a secondary address of 5101 American Parkway; staff cannot verify that this secondary address exists.]

Note: The application for this project was filed on November 14, 2012 under the 1966 Zoning Code and is subject to review under that ordinance. A corresponding zoning map amendment to rezone the same property to the PD (Planned Development) zoning district under the 2011-12 Zoning Code will provide the development conforming zoning under the new code, which went into effect on January 2, 2013.

Applicable Regulations & Standards: Section 28.12(10) 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** to the Common Council of Zoning Map Amendment ID 3649 and 3650, rezoning 5302 Tancho Drive from PUD-GDP 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.

Background Information

Applicant: Brett Miller, Fiduciary Real Estate Development, Inc.; 789 N. Water Street, Suite 200; Milwaukee.

Property Owner: Wisconsin Apartments II, LLC; 200 E. Randolph Street #2100; Chicago, Illinois.

Proposal: The applicant is requesting approval of an amended general development plan and specific implementation plan to allow construction of 7 apartment buildings containing 263 total dwelling units and a clubhouse and pool. The applicant wishes to begin construction of the apartment complex in April 2013, with completion anticipated in February 2016.

Parcel Location: An approximately 13-acre site located on the north side of Tancho Drive east of American Parkway; Aldermanic District 17 (Clausius); Sun Prairie Area School District.

Existing Conditions: The subject site is currently undeveloped, and is zoned PUD(PD)-GDP.

Surrounding Land Use and Zoning:

North: Oakwood Village East age-restricted residential community, zoned PD-SIP (Planned Development-Specific Implementation Plan [formerly PUD-SIP]);

South: Undeveloped land, zoned PD[PUD]-GDP and CC (Commercial Center District) [C2 (General Commercial District)];

West: Bright Horizons daycare at southeasterly corner of American Parkway and American Family Drive, zoned CC [C2]; American Family Insurance/ the American Center located across American Parkway, zoned SEC (Suburban Employment Campus District) [O-4 (Administrative Office and Research and Development District)];

East: Poplar Creek Condominiums and Barrington Place Apartments, zoned PD[PUD]-SIP.

Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and nearby properties to the east and north for Medium-Density Residential Uses. Surrounding properties to the south and west, including the American Center, are recommended for Employment and General Commercial uses.

The Rattman Neighborhood Development Plan recommends that the subject site and properties to the east be developed with medium-density residential uses.

Environmental Corridor Status: This site is not located within a mapped environmental corridor.

Public Utilities and Services: The property is served by a full range of urban services except Metro Transit. According to Tim Sobota, Transit Planner with Metro Transit, the proposed development area is currently outside Metro Transit's service area, for both fixed route and complementary paratransit service, during evenings and on all non-weekday service dates. The closest available bus stop location during those times is on High Crossing Boulevard at City View Drive, over one mile away. Metro does not provide weekday "commuter" transit service between the Rattman neighborhood and our core service area (no trips depart from the Rattman neighborhood in the morning commute period, or arrive at the Rattman neighborhood during the PM peak). Limited trips operate once an hour on weekdays during the middle of the day (from roughly 9:45 AM until 3:45 PM) between the Rattman neighborhood and East Towne Mall. The closest bus stop is on Buttonwood Drive at American Parkway.

Zoning Summary: The proposed apartment complex will be zoned PUD-GDP-SIP with this request. The specific implementation plan will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design (PUD), Barrier Free, Utility Easements
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>	

Previous Approvals

On June 16, 1998, the Common Council approved a request to rezone approximately 102 acres of land generally located approximately 400 feet east of American Family Drive on the east side of American Parkway to PUD-GDP and approved the preliminary and final plats of the Porter Plat for the future development of a variety of multi-family residential and office/ employment uses in the Centerpoint development on approximately 79 acres of the overall site. The subject site is roughly the western half of Lot 3 of the Porter Plat, which was approved for the future development of 417 multi-family units, a pool, and a clubhouse.

The same Common Council approval also approved a request to rezone 7.6 acres of the 21.2-acre Lot 3 to PUD-SIP to allow the construction of the first phase of Centerpoint Apartments, containing 141 multi-family units in 4 buildings and a pool and clubhouse.

On October 5, 1999, the Common Council approved a request to rezone another 5.2 acres of Lot 3 of the Porter Plat from PUD-GDP to PUD-SIP for the second phase of Centerpoint Apartments, containing up to 126 multi-family units in 4 buildings.

Project Review, Analysis & Conclusion

The applicant is requesting approval of an amended general development plan and specific implementation plan to allow construction of 7 apartment buildings containing 263 dwelling units, a pool and clubhouse on 13 acres of undeveloped land generally located to the east and north of the American Center on the east side of American Parkway. The subject site primarily fronts onto Tancho Drive, a public loop street that extends off of American Parkway to serve the Centerpoint Planned Unit Development, which was originally envisioned as medium-density "urban" multi-family residential and office/ employment development at the time of its approval in 1998. The site is located adjacent to the 202-unit Barrington Place Apartments, which feature 6 multi-family buildings ranging in size from 24 to 40 units on an approximately 8.2-acre parcel.

The application was filed on November 14, 2012 and is subject to review under the 1966 Zoning Code. Under the transition rules found in Section 28.008 of the 2011-2012 Zoning Code, any application for a zoning map amendment that was filed with and determined to be fully complete by the City prior to the January 2, 2013 effective date of that ordinance shall continue through the process to completion pursuant to the terms and conditions of the ordinances and codes that were in place at the time of filing. If the requested PUD amendment is approved, the zoning map amendment ordinance contains a provision to assign Planned Development (PD) zoning to the site to provide it conforming zoning under the 2011-2012 code.

The 7 buildings proposed on the subject site will primarily be organized around a central green and will include three 41-unit buildings to be located along the north side of Tancho Drive and the westerly side of Chaucer Drive, a private drive that also provides access to the Barrington Place development to the east. The remaining four buildings will be 35-unit buildings located on the western half of the property. The complex will include a total of 14 studio units, 105 one-bedroom units (including some with dens), 129 two-bedroom units, and 21 three-bedroom units. Underground parking will be provided below each building, with a ratio of one underground parking stall proposed per dwelling unit. An additional 139 surface parking stalls are proposed around the development, which will be accessed from 3 driveways from Chaucer Drive and Tancho Drive. No direct access to American Parkway is proposed. The project will not have a designated loading zone and is requesting that the specific implementation plan be approved without one. Staff believes that a waiver can be granted to this requirement, as loading can be accommodated in or adjacent to non-fire lane drive aisles throughout the site.

The proposed buildings will have a sleek, contemporary architectural style with flat roofs and exteriors composed of brick and a combination of fiber cement and metal wall panels. Each of the dwelling units will be provided a patio or balcony, and the complex will feature a considerable amount of well landscaped open space. The proposed pool and clubhouse will be located at the northernmost point of the irregularly shaped site adjacent to the intersection of Tancho Drive and American Parkway. Details of the clubhouse building were not included in the specific implementation plan, and the applicant indicates that a subsequent application will be made that includes this information. Planning staff, however, does not feel that a separate PUD-SIP application for the clubhouse is needed, and believes that it can be approved with this request subject to final design approval of the building and environs by the Urban Design Commission, and a condition that building permits for the clubhouse and pool be obtained by the developer no later than the time that building permits are issued for the first apartment building in the second phase of the construction of the complex, which will be built in 3 phases.

Staff believes that the proposed complex is generally well designed and that the amended PUD-GDP-SIP can meet the criteria for planned unit developments. The proposed amendment represents a modest increase in the density of the original Lot 3 of the Porter Plat, which was originally approved for the development of approximately 417 units on the 21.2-acre lot, with a net density of 19.7 units per acre. The 263 units proposed on the subject site, when combined with the 202 unit built in the adjacent Barrington Place development, will have a density of 21.9 units per acre. Staff believes that the proposed density is consistent with the recommendations in the Rattman Neighborhood Development Plan, which call for medium-density residential uses to be developed on the two sites at a density of 16-25 units per acre, though a note on the plan recommends that the density of these sites be closer to the middle of that range.

The Urban Design Commission granted initial approval of the specific implementation plan for the apartment complex on December 5, 2012 (see attached report). The project will be required to receive final approval from the UDC prior to recording of the Amended PUD-GDP-SIP and the issuance of building permits.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

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

The Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Zoning Map Amendment ID 3649 and 3650, rezoning 5302 Tancho Drive from PUD-GDP to Amended PUD-GDP-SIP, subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

1. That the overall planned unit development receive final approval from the Urban Design Commission prior to final approval of the PUD for recording and the issuance of building permits.
2. That the zoning text be revised per Planning Division approval prior to recording and the issuance of building permits as follows:
 - 2a. Revise the Statement of Purpose to correct the final approved number of buildings and units;
 - 2b. Revise the Permitted Uses section to state "Multi-family residences as shown on the approved plans" and remove the incorrect references to the number of buildings and units; revise the same section to list the accessory open space and tenant amenities and parking;
 - 2c. Remove the Conditional Uses section;
 - 2d. Revise the Floor Area Ratio and Building Height sections to state: "As shown on the approved plans;"
 - 2e. Revise the Yard section to state: "As shown on the approved plans. In general..." before the existing text;
 - 2f. Revise the Signage section to state: "Signage for the building shall be limited to the maximum permitted in the SR-V2 zoning district, and as approved by the Urban Design Commission or its secretary, and the Zoning Administrator".
3. That bike parking be provided at a ratio of one regulation stall per dwelling unit unless reduced by the Zoning Administrator as allowed under the Zoning Code. Bike parking stalls shall be 2' wide, 6' deep and include 5' access aisles and 5' of vertical clearance. Moped/ scooter parking stalls shall be a minimum of 3' wide, 6' deep and include 5' access aisles and 5' of vertical clearance. The location of all bike and moped parking shall be shown on the final approved plans.

4. That the pool and clubhouse receive final design approval by the Urban Design Commission prior to the issuance of building permits, and that the approved plans be recorded as a minor alteration to this PUD-SIP.
5. That building permits for the clubhouse and pool be issued no later than the time that building permits are issued for the fourth apartment building in the complex (first building in the second phase). This requirement shall be included as a note in the final zoning text and on the final plans.

The following conditions have been submitted by reviewing agencies:

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

6. Identify any utilities that are proposed to be publicly owned and maintained
7. Storm sewer plan appears to have typos related to elevations. Plan shows storm sewer with greater than 100-foot depths.
8. Proposed sanitary sewer lateral connection into Tancho Drive will be subject to the City's Pavement Patching Policy.
9. Reconcile plans to identify the proper existing and approval and creation of private street names with Engineering-Mapping. Private Chaucer Drive shown on site plans shall be revised to private Pendleton Drive from private Brookside Drive north to public Tancho Drive. Final site plans shall clearly depict the proper names as well as public and private street designations.
10. Coordinate a proposed private street name for new segment from Pendleton Drive to Brookside Drive. Contact Lori Zenchenko with Engineering-Mapping at lzenchenko@cityofmadison.com or 266-5952.
11. In accordance with 10.34 MGO, Street Numbers – Submit a PDF of each floorplan to Lori Zenchenko (lzenchenko@cityofmadison.com) at Engineering-Mapping 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.
12. Final building addresses shall be determined when final private street name is submitted and approved.
13. Provide City agencies copies of recorded joint ingress-egress documents within the development.
14. Show the area defined for future SIP on all plan sheets so it is clear what is included with this approval and what is not.
15. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
16. 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.

17. All work in the public right of way shall be performed by a City-licensed contractor.
18. All damage to the pavement on Tancho Drive, American Family Drive and American Parkway adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
19. 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.
20. 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.
21. Effective January 1, 2010, the Department of Commerce's authority to permit commercial sites, with over 1 acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City cannot issue its permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
22. This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Building Inspection Division may require individual control plans and measures for each building.
23. 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: detain the 2 & 10-year storm events; 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.
24. 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. 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.

25. 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.
26. 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).
27. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
28. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. (Per MGO 37.05(7))

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

29. All private drives, where they meet the public right of way, shall conform to City of Madison standard 3.09 Madison Standard Commercial Drive Detail.
30. "Stop" signs shall be installed at a height of 7 feet at all driveway approaches behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
 31. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1"=20'.

Parks Division (Contact Kay Rutledge, 266-4714)

32. The applicant shall verify with the Parks Division whether additional park impact fees will be due for this project prior to submitting plans for final staff approval and recording.

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

33. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows
- a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) IFC 503 Appendix D105, Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
 - c.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.

Water Utility (Contact Dennis Cawley, 261-9243)

34. The looped water main shall be a public water main and installed by a standard City of Madison Contract for Subdivision Improvements. A minimum 20-foot wide public water main easement shall be dedicated over this water main.
35. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit conditions of approval for this request.