

## PLANNING DIVISION STAFF REPORT

April 20, 2015



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 467-507 North Star Drive and 452 & 502 Pluto Street  
**Application Type:** PD(GDP-SIP) Amendment, Preliminary Plat and Final Plat  
**Legistar File ID #** [37632](#) and [37371](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted

### Summary

**Applicant & Property Owner:** Jeff Rosenberg, MREC VH Madison, LLC/ Veridian Homes; 6801 South Towne Drive; Madison.

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

**Surveyor:** Dan Day, D'Onofrio Kottke & Associates; 7530 Westward Way; Madison.

**Requested Action:** Approval of a request to amend the Planned Development zoning for 467-507 North Star Drive and 452 and 502 Pluto Street and the General Development Plan (GDP) and Specific Implementation Plan (SIP) for Grandview Commons to replat 6 lots approved for two-family dwellings-twin into 12 single-family lots, and approval of a preliminary plat and final plat to implement the amended zoning.

**Proposal Summary:** The applicant is requesting approval of the "Grandview Commons Replat No. 2", which calls for 6 lots previously approved for development with two-family residences to be replatted into 12 single-family lots. Marketing and construction of the 12 lots will commence later this year, with completion of the single-family residence anticipated by 2020.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments. The approval process and standards for Planned Development districts is outlined in Section 28.098 of the Zoning Code. The subdivision process is outlined in Section 16.23(5)(b) of the Subdivision Regulations.

**Review Required By:** Urban Design Commission, Plan Commission and Common Council.

**Review Schedule:** The State's subdivision statute, Wis. Stats. 236, requires that a preliminary plat be approved, conditionally approved, or rejected (with stated reasons) within 90 days of submittal unless the time is extended by agreement with the applicant. If no action is taken within 90 days and no extension granted, the plat is deemed approved. The proposed preliminary plat application was submitted to the City on February 18, 2015. Therefore, the 90-day review period for this plat will end circa May 19, 2015.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00161 and 28.022-00162, rezoning 467-507 North Star Drive and 452 and 502 Pluto Street from PD(SIP) to Amended PD(GDP-SIP), and the preliminary and final plats of Grandview Commons Replat No. 2, to the Common Council with recommendations of **approval** subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

## Background Information

**Parcel Location:** An approximately 1.44-acre (62,690 square feet) of land located on both sides of Dominion Drive between North Star Drive and Pluto Street; Aldermanic District 3 (Cnare); Madison Metropolitan School District.

**Existing Conditions and Land Use:** Undeveloped land, zoned PD.

**Surrounding Land Use and Zoning:** The 6 lots to be replatted are surrounded on the north, south and east by existing or future single-family residences in Grandview Commons. North Star Park is located west of the subject site across North Star Drive. All of the surrounding properties are zoned as part of the Grandview Commons Planned Development, including the park.

**Adopted Land Use Plan:** The Sprecher Neighborhood Development Plan generally recommends the area to be rezoned and replatted for low-density residential development

**Zoning Summary:** The proposed lots will be zoned PD and will be reviewed in the following sections of this report. There were no critical items raised by Zoning staff with regard to this proposal.

**Environmental Corridor Status:** The development site is not located in a mapped environmental corridor (see Map G7).

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

## Previous Related Approvals

On February 5, 2002, the Common Council approved a request to rezone 232.6 acres of land located in the northeastern quadrant of Cottage Grove Road and Interstate 39-90 from A (Agriculture District) to PUD-GDP and approved the preliminary plat of Grandview Commons for the future development of 557 single-family residences, 20 two-family residences, up to 785 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 4, 2002, the Common Council approved an Amended PUD-GDP and a PUD-SIP for the first phase of Grandview Commons to allow development of 557 single-family residences, 20 two-family residences, up to 1,248 multi-family residential units (throughout the development), 100,000 square feet of retail/ office uses, 50,000 square feet of flex space, and 20,000 square feet of additional office space above the first floor in the neighborhood center.

On June 18, 2002, the Common Council approved a revised preliminary plat and final plat of Grandview Commons. The final plat was recorded on November 6, 2002.

On February 26, 2013, the Common Council approved a request to rezone 103 existing lots and outlots in the Grandview Commons subdivision and generally addressed as 457 North Star Drive from PD(GDP) and PD(SIP) to Amended PD(GDP-SIP), and; approved a preliminary plat and final plat replatting 103 existing parcels into 101

single-family lots, 6 two-family lots and 5 outlots. "Grandview Commons Replat No. 1" was recorded on October 29, 2013.

## Project Description

Veridian Homes is requesting approval of a major alteration to the approved Planned Development zoning for Grandview Commons and a preliminary plat and final plat to replat 6 lots recently approved for development with two-family twin dwellings in the Twin Homes District identified in the approved and recorded 2002-2003 Specific Implementation Plan for Grandview Commons into 12 lots to be developed with single-family detached residences.

As originally zoned and platted with the initial Grandview Commons subdivision, the 1.44 acres of land subject to the current request was comprised of 2 lots planned for 10 multi-family dwellings each, which were planned to frame the intersection of North Star Drive and Dominion Drive opposite North Star Park. However, the 2013 PD amendment and replat noted in the preceding section substantially reconfigured the northern portion of the original subdivision, which included a decrease in the approved density and unit mix from 121 dwelling units comprised of 91 single-family lots and 30 multi-family units to 113 units comprised of 101 single-family lots and the 6 subject two-family twin lots. The replat also created slightly larger single-family lots and more single-family lots accessed from the fronting streets instead of alleys as originally approved. Veridian indicated at the time that the PD amendment and replat were necessary to bring the then undeveloped portions of Grandview Commons into alignment with current market conditions.

The proposed PD amendment and replat calls for the 12 single-family lots to be developed in the Cottage Homes District as identified in the approved and recorded 2002-2003 Specific Implementation Plan for Grandview Commons. Like the currently approved two-family residences and the multi-family residences previously planned for the subject site, the 12 proposed single-family homes will be accessed from a mid-block alley. The applicant has included the relevant pages of the PD zoning text for the Cottage Homes District for reference, as well as the pages for the current Twin Homes District for comparison.

## Analysis & Conclusion

The Planning Division believes that the proposed Amended PD(GDP-SIP) and replat of the subject 1.44 acres of the larger Grandview Commons development to create 12 single-family lots from 6 two-family twin lots can meet the applicable standards and criteria for approval. The modest adjustments to the overall unit mix proposed with the amended PD and replat represents the continued evolution in the implementation of a large-scale development like Grandview Commons, and staff believes that the resulting development will be consistent with the low-density residential land uses and traditional, walkable neighborhood development pattern generally recommended in the [Sprecher Neighborhood Development Plan](#).

## Recommendation

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

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022-00161 and 28.022-00162, rezoning 467-507 North Star Drive and 452 and 502 Pluto Street from PD(SIP) to Amended PD(GDP-SIP), and the preliminary plat and final plat of Grandview Commons Replat No. 2 to the

Common Council with recommendations of **approval** 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 Schmidt, 261-9688)

1. Revise the bearing of the north line of Lot 1008 to N 71°35'56" E. Add "Width Varies" to the west end of Dominion Drive.
2. The preliminary plat indicates that the 4' x 5' Public Utility Easement in back of current Lot 743 of Replat No. 1 will be released. This easement shall be released by separate document prepared by the City Office of Real Estate Services. The applicant must prepare a legal description and map exhibit for the area to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review. Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to "City of Madison Treasurer") to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document(s) and record with the Dane County Register of Deeds.
3. Add Lots 1000 and 1005 to the notes as appropriate for the Joint Driveway easements shown on the plat.
4. Correct the labels for the Section Corner Monuments referenced on the plat. The corners are the North Quarter Corner and Center of Section 11.
5. Add a note that this plat is subject to Declaration of Conditions and Covenants per Document Nos. 3867658 and 3867659.
6. These lots are part of the Homeowners Association; therefore a note should be added that the lots in the plat are subject to a Maintenance Agreement per Document No. 4498280.
7. Coordinate with Madison Real Estate staff reviewing this subdivision which private Declarations of Conditions, Covenants and restrictions are required to be noted on the plat.
8. Each lot shall have a separate sanitary sewer lateral.
9. The roadways will need to be patched in accordance with the City's Pavement Patching Criteria after the new sewer and water laterals are installed. The new laterals to serve the lots shall be installed under a Permit to Excavate in the Right Of Way.
10. Provide proposed driveway locations to City Engineer for approval. Said driveways shall not conflict with existing crosswalks and existing storm inlets.
11. A minimum of 2 working days prior to requesting City Engineering signoff on the plat, the applicant shall contact Janet Schmidt (261-9688) to obtain the final stormwater utility charges that are due and payable prior to subdivision of the properties. The stormwater utility charges (as all utility charges) are due for the

previous months of service. All charges shall be cleared prior to the land division (and subsequent obsolesces of the existing parcel).

12. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The Developer's Surveyor and/or Applicant must submit copies of required tie sheets or condition reports for all monuments, including center of sections of record, used in this survey, to Eric Pederson, City Engineering. If a new tie sheet is not required under A-E 7.08, Engineering requests a copy of the latest tie sheet on record with Dane County Surveyor's office. The Applicant shall identify monument types on all PLS corners included on the Plat. Note: Land tie to two PLS corners required.
13. The applicant shall submit to Jeff Quamme, prior to final Engineering sign-off of the subject plat, one (1) digital CADD drawing and one (1) signed copy of the final plat to the Mapping/GIS Section of the Engineering Division either as hard copy or Adobe PDF format. The digital CADD file shall be submitted in the WisDOT County Coordinate System, Dane County Zone datum in either Auto CAD Version compatible with MicroStation Version V8i, MicroStation Version V8i or older or Universal DXF Formats. The digital CADD file(s) shall contain the minimum of the items stated below, each on a separate layer name/level number. All line work shall be void of gaps and overlaps that would cause any parcel, street or easement to not properly close. All line work orientation and geometrics shall match the dimensioning as labeled on the final recorded plat: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (i.e. street, sanitary, storm (including wetland & floodplain boundaries) water, pedestrian/bike/walkway, or any public and/or private interest easement except local service for Cable TV, gas, electric and fiber optics).

\*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes.

\*New electronic final plat transmittals and notification of changes which occur to the final plat during the time the Engineering Division signs off and receives the digital copies of said plat and the recording thereof, are the responsibility of the Developer/Surveyor.

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

This agency submitted a response with no comments or conditions for this request.

**Zoning Administrator** (Contact Matt Tucker, 266-4569)

This agency did not provide comments for this request.

**Fire Department** (Contact Bill Sullivan, 261-9658)

14. These reduced side yard setbacks can be a challenge preventing fire spread between structures once a fire extends to the exterior. The Madison Fire Department recommends the installation of a fire sprinkler system complying with NFPA 13D. Provide the following information to the buyer of each individual lot: "The 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)

15. All public water mains and water service laterals shall be installed by a standard City of Madison Contract for Subdivision Improvements. Each lot shall have a separate water service lateral connected to a public water main. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.
16. All operating private wells shall be identified and permitted by the Madison Water Utility and all unused private wells shall be abandoned in accordance with MGO Sec. 13.21.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

**Parks Division** (Contact Kay Rutledge, 266-4714)

Note: This agency did not submit comments for this project. The applicant shall contact this agency prior to final approval of the plat for recording to determine if additional park fees will be due for the proposed replat. Approval of 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.

**Office of Real Estate Services** (Jenny Frese, 267-8719)

17. Correct the owner's name typo in the notary block. Prior to approval sign-off, the Owner's Certificate(s) on the final plat shall be executed by all parties having an interest in the property, pursuant to Wis. Stats. 236.21(2)(a). Certificates shall be prepared with the ownership interests consistent with the most recent title report. Signatories shall provide documentation that proves legal authority to sign the Owner's Certificate on the final plat.
18. The property owner is also the mortgagee. Either include a separate Consent of Mortgagee for MREC VH Madison, LLC, as seen on *Grandview Commons Replat No.1*, or include mortgagee consent language in the Owner's Certificate. A certificate of consent for all mortgagees/vendors shall be included and executed prior to final approval of the plat.
19. Per Chapter 236.21(3) of Wis. Stats. and MGO Section 16.23(5)(g)(1), the property owner shall pay all real estate taxes and special assessments that are accrued or delinquent for the subject properties prior to final approval of the final plat for recording. As of March 27, 2015, the second installment of 2014 real estate taxes is unpaid for the subject property. There are no special assessments levied against the subject property.
20. Prior to final sign-off, please verify with Janet Schmidt of City Engineering (261-9688) or Sharon Pounders of the Madison Water Utility (266-4641) that stormwater management fees are paid in full.
21. The following revisions shall be made to the final plat prior to final approval and recording:
  - a.) The title report contains many documents that are not applicable to the lands within the plat boundary. Thoroughly research each document to determine if it benefits or encumbers the subject property. Depict or note those that are appropriate.

- b.) Coordinate with City staff regarding the Public Water Main and Access Easement recorded as Document No. 3236045, described as “to be released” on *Grandview Commons*, to determine if it is applicable to the lands within the plat boundary.
- c.) Exhibit B of the Special Warranty Deed mentioned in Note 6 only applies to the subject property in the Document No. 4897644. Please remove the other two documents.
- d.) Carry over all applicable notes from prior *Grandview Common Replat No. 1*.
- e.) Add a Public Utility depiction to the Legend and include the following sentence: “Utility Easements as herein set forth are for the use of public bodies, as well as private utilities having the right to serve the area.”