



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 5817 Halley Way (District 3- Ald. Hall)  
**Application Type:** Planned Development Rezoning  
**Legistar File ID #** [38144](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Jay Wendt, Principal Planner

**Summary**

**Applicant:** Shawn McKibben; Alternative Continuum of Care; 719 Jupiter Drive; Madison, WI 53718  
**Contact:** Shawn McKibben; Alternative Continuum of Care; 719 Jupiter Drive; Madison, WI 53718  
**Property Owner:** Scott Frank; 719 Jupiter Drive; Madison, WI 53718

**Requested Action:** The applicant requests approval of an amended PD-SIP (Planned Development-Specific Implementation Plan) to revise previously approved plans for an 82-unit senior housing apartment facility.

**Proposal Summary:** A similar 82-unit senior housing development was approved in November 2013, but was never constructed. The applicant’s letter of intent for that earlier proposal described the units as “luxury apartments and condominiums” ranging in size from 770 square feet to 1,800 square feet. The same applicant seeks approval of several alterations. The new proposal is described as a mix of “affordable and luxury apartments” ranging in size from 625 square feet to 1,881 square feet. The project will remain as an 82-unit building, but is reduced in size. Both the building footprint and the building’s height, in places, are reduced. Other alterations include some exterior modifications, reconfiguration of the rear terrace, addition of a future tenant space, and the addition of surface parking stalls.

**Applicable Regulations & Standards:** This proposal is subject to the standards for Zoning Map Amendments [M.G.O. Section 28.182(6)] and Planned Developments [Section 28.098(2)].

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

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for Zoning Map Amendments and Planned Developments are met and forward Zoning Map Amendment 00169, rezoning 5817 Halley Way from PD-SIP (Planned Unit Development Plan-Specific Implementation Plan) to amended PD-SIP to the Common Council with a recommendation of **approval**. This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

**Background Information**

**Parcel Location:** The subject 107,947 square foot site is part of the Grandview Commons development. This site is bounded by Halley Way to the north, Gemini Drive to the south, and North Star Drive to the east. The site is in Aldermanic District 3 and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is part of the larger Oak Park Senior Development. The proposed building is part of “Lot 2” which is currently undeveloped. An existing wooded area extends across the northern portion of the property.

**Surrounding Land Use and Zoning:**

- North: Two-building, 95-unit apartment complex zone PD (Planned Development District);
- South: Building foundations for project no longer being constructed, with Townhomes and other undeveloped multi-family properties beyond, zoned PD;
- East: Apartment and Condominium developments, zoned PD; and
- West: Oak Park Senior housing campus, zoned PD

**Adopted Land Use Plan:** The Comprehensive Plan recommends this location for medium density residential development. That recommendation includes a general density range of 16-40 dwelling units per acre. The Sprecher Neighborhood Development Plan also recommends medium density residential development for this site.

**Zoning Summary:** The property is zoned PD (Planned Development District)

	Required	Proposed
Lot Area (sq. ft.)	As per approved plans	As per submitted plans
Lot Width	As per approved plans	As per submitted plans
Front Yard Setback	As per approved plans	As per submitted plans
Side Yard Setback	As per approved plans	As per submitted plans
Rear Yard Setback	As per approved plans	As per submitted plans
Usable Open Space	As per approved plans	As per submitted plans
Maximum Lot Coverage	As per approved plans	As per submitted plans
Floor Area Ratio	As per approved plans	As per submitted plans
Minimum Building Height	As per approved plans	As per submitted plans
Maximum Building Height	As per approved plans	As per submitted plans
Number Parking Stalls	1 per dwelling (82) Office: 1 per 400 sq. ft. of floor area (8)	10 surface, 99 underground (109 total)
Accessible Stalls	Yes	1 surface, 4 underground (5 total)
Loading	Not required	1
Number Bike Parking Stalls	1 per unit up to 2 bedrooms (82) 1 guest space per 10 units (8) Office: 1 per 2,000 sq. ft. of floor area	16 surface, 41 underground, 36 future underground (93 total)
Landscaping	Yes	Yes
Lighting	Yes	Yes
<b>Other Critical Zoning Items</b>	Urban Design, Barrier Free (ILHR 69),Utility Easements	

*Table Prepared by Jenny Kirchgatter, Zoning*

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

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

## Project History

The General Development Plan (GDP) for the entire Grandview Commons Development was approved in 2002. In 2007, a Specific Implementation Plan was approved for the subject site and adjoining Oak Park-owned property. That approval included the 58-unit assisted living facility that now fronts Jupiter Drive. On the subject site, a 61-unit senior condominium development was approved. The applicant never recorded the plans for the 61-unit building and that approval has expired.

In November 2013, the Common Council approved a rezoning for an 82-unit senior housing development. A link to those plans is here: [2013 Approved Plans](#). Construction of that project never commenced and the applicant now seeks approval of a modified 82-unit building.

## Project Description

The applicant requests approval of revised plans to construct a four-story, 82-unit senior apartment building.

The current proposal building includes a mix of one and two bedroom units. In total, there are 123 bedrooms proposed. A summary of the proposed dwelling unit mix compared to the recent 2013 approval follows:

	Dwelling Units Current Proposal	Dwelling Units 2013 Approval	Number of Bedrooms Current Proposal	Number of Bedrooms 2013 Approval
Studio	0	3	0	3
One-Bedroom	41	35	41	35
Two-Bedroom	41	44	82	88
<b>TOTAL</b>	<b>82</b>	<b>82</b>	<b>123</b>	<b>126</b>

The 2013 project was described by the applicant as being a mix of “luxury apartments and condominiums” ranging in size from 770 square feet to 1,800 square feet. The current proposal is described as having a mix of “affordable and luxury units,” ranging in size from 625 square feet to 1,881 square feet.

Both the building footprint and the building’s height, in places, is reduced from what was previously approved. Though somewhat smaller, the overall mass remains similar to that approved in 2007 and again in 2013. The building has four levels of above-grade living space. There is a 10 foot street setback along North Star Drive and a portion of Halley Way. The balance of the building is located at the block’s interior. As such, this preserves much of the existing wooded slope that crosses the northern portion of the property. Street-oriented building entrances are proposed along Halley Way and at the corner of North Star and Gemini Drives.

The building is clad in an alternating pattern of brick and wood composite lap siding. The base of the building includes a stone veneer, which is visible along portions of the exposed lower levels along all sides of the building to varying degrees. Note, revised black and white elevation drawings have been provided since this proposal’s initial submittal, in response to comments from staff. Staff was concerned about the character of proposed “side-by-side” balconies along some facades. The project has been revised to restore the general building rhythm approved in 2013. At the time of report writing, some of the submitted colored elevation and perspective drawings had not been adjusted. The adjusted drawings are labeled “Revised May 15, 2015.”

There are 109 total automobile parking stalls. There are 99 under-building stalls that are accessed on three separate levels. Garage door access is located on the north, south, and west facades. Driveway access to the southern and western garage entrances are from a shared driveway approved (and never constructed) on the adjacent property to the south. A shared driveway and parking easement already exists. There are 16 proposed

bike parking stalls on the exterior of the building and 41 stalls proposed on the building's interior. The letter of intent notes that 36 additional stalls could be added inside the building in the future.

From a site planning standpoint, the most significant change is the revised patio along the north-central portion of the building. The revised plan is simplified compared to the one approved in 2013 which included a multi-level terraced patio. The current plan includes a rectangular patio area surrounded by perimeter plantings. The cross-site pedestrian paths providing street access have been revised to be more meandering, where they previously more straight. Both landscape plans show the preservation of the existing wooded area. From a planting standpoint, the most significant change was the change from Skyline Honey Locust trees to Japanese Tree Lilacs along the south side of the building.

Finally, the application notes the inclusion of possible tenant space at the northwest corner of the building, adjacent to Halley Way. No tenant has been identified, though the underlying General Development Plan does allow for retail beneath residential units as a permitted use for this site.

## Analysis and Conclusion

The proposed project is subject to the Zoning Map Amendment [Section 28.182(6)] and Planned Development standards [Section 29.098(2)] of the Zoning Code. The analysis below begins with a summary of the adopted plan recommendations as the specific approval standards reference these documents.

### Conformance with Adopted Plans

The project conforms to the general recommendations of adopted plans. Both the Comprehensive Plan and the Sprecher Neighborhood Development Plan recommend medium density residential development for the subject property. The recommended density is between 16 and 40 du/ac (dwelling units per acre). With a calculated density of 33.1 du/ac, the proposed project is well within the recommended density range.

### Zoning Map Amendment Standards

Staff believes the Zoning Map Amendment standards can be met. These standards state that such amendments are legislative decisions of the Common Council that shall be based on public health, safety and welfare, shall be consistent with the Comprehensive Plan, and shall comply with Wisconsin and federal law.

Chapter 66.1001(3) of Wisconsin Statutes requires that zoning ordinances (of which the zoning map is part) enacted or amended after January 1, 2010 be consistent with the City's Comprehensive Plan. 2010 Wisconsin Act 372 clarified "consistent with" as "furthers or does not contradict the objectives, goals and policies contained in the comprehensive plan." Staff believes that the project is consistent with the Comprehensive Plan as noted above.

### Planned Development Standards

Staff also believes the Planned Development standards can likely be met. The standards include the facilitation of adopted plans, economic health of the area, architectural style and building form, parking and traffic impacts, and project implementation. The Zoning Code requires that the Urban Design Commission (UDC) review and make a recommendation to the Plan Commission on Planned Development proposals based on the objectives in the statement of purpose and other standards in this section.

### *Design Related Considerations*

The building is smaller, both in terms of footprint and in some locations height. The most noticeable massing changes are the new setbacks along the building's west wall above the second exposed level. The building previously had three full stories above grade at this point. As noted above, the applicant has addressed the Planning Division's primary aesthetic building concerns regarding the side-by-side balconies. The revised drawings restore the original façade's rhythm and avoid the need for the balcony dividers that were of some aesthetic concern as initially presented. At the time of report writing, the colored elevations and perspectives in the packet have not been updated, only the black and white drawings reflect this change. A new illustrative graphic showing this information is included as an 8.5 by 11 copy.

At their June 10, 2015 the Urban Design Commission recommended final approval and their comments are noted in the attached report. The Planning Division has recommended two specific conditions, noted in the recommendation section of this report. The Planning Division requested the UDC make specific recommendations related to the following:

- **Reconfigured Patio.** Previously, the patio along the north-central portion of the building was a relatively large, multi-leveled space. The proposed concept is significantly simplified with a smaller rectangular patio as shown. Cross-site walkways have been reconfigured to have a more meandering shape. Both the approved and proposed concepts retain the same wooded area at the north-central portion of the site.
- **Tree Planting.** The revised plans propose to replace a series of Skyline Honey Locust with smaller Japanese Tree Lilacs along the central portion of the building. Staff believes this area, adjacent to an internal drive, should have a street-like character.
- **Upper Story Setbacks – Exterior Materials.** Staff requested that the Urban Design Commission review the upper story articulation/materiality of the newly proposed upper-story setbacks, (see "South View" perspective). Staff believes that additional brick would be preferable in this location to provide better cohesion with the lower portions of the building in which the brick is the predominant material.
- **Bike Entrance.** As part of the previous review, the applicant agreed to install a secondary entrance to the garage/bike parking room along the building's north east corner (See "Entry at North Star Drive" perspective). This was a significant improvement. Staff suggested the UDC provide feedback that could further help this area "read" as an entrance.
- **Confirm Details.** Staff recommended that the applicant confirm brick size, mortar color, and window/door trim details in its presentation to the Urban Design Commission.

### **Public Input**

At the time of report writing, staff has not received any comments on the proposed request.

### **Conclusion**

The subject site is part of a larger senior living community operated by Oak Park. With this application, Oak Park has somewhat reduced the size of the building, though it remains similar in mass to what was previously

approved in both 2007 and in 2013. Compared to the 2013 approval, the building maintains the same 82-unit count, though there are three fewer bedrooms. The applicant has gone from an exclusively large-unit “luxury” program to a program that contains a mix of affordable and luxury units. The building maintains the same exterior palette and thanks to efforts by the applicant, should be very similar in outward character to what was previously approved. The Planning Division believes the revised plans can meet the applicable standards.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the standards for Zoning Map Amendments and Planned Developments are met and forward Zoning Map Amendment 00169, rezoning 5817 Halley Way from PD-SIP (Planned Unit Development Plan-Specific Implementation Plan) to amended PD-SIP to the Common Council with a recommendation of **approval**. This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

#### Planning Division (Contact Kevin Firchow, 267-1150)

1. That the colored elevation and perspective drawings be revised to match the black and white elevation and floor plans labeled “Revised May 15, 2015.” This information shall be provided for staff approval.
2. No HVAC “wall-pack” penetrations/louvers are shown on the submitted plans. The addition of HVAC vents, grills, or louvers on outward-facing walls is not included in this approval and will require approval of an alteration to this PD should they be proposed at a later time.

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

3. Addressing plan created 2/18/2014 is null and void. A new addressing plan will be need to be created
4. Submit a PDF of all floor plans to [zenchenko@cityofmadison.com](mailto:zenchenko@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. Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation. The Applicant’s project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. (MGO 16.23(9)(d)(6) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
6. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which 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. (POLICY)

7. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
8. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan. (POLICY)
9. All damage to the pavement on Gemini Dr., Halley Way, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
10. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) lot lines and right-of-way lines, e) Street names, f) Stormwater Management Facilities, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
11. 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. (MGO 10.05(6)) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

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| <p>12. Underground parking is not dimensioned and is not reviewable at this time. Once a plan, properly dimensioned, is made available for review the developer should expect comment which could result in a major redesign of the building footprint.</p> |
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13. 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 two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
  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 MGO standards, as set in section 10.08(6).
17. Extend western sidewalk to the joint driveway with 5818 – 5842 Gemini Dr.
18. All parking stalls must be clear of any and all obstructions (including columns) to be considered a legal parking stall. For large car this means 9' by 18' clear, for one-size-fits-all this means 8.75' by 17' clear.

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

19. Provide a minimum of 90 bike parking spaces distributed as both short term and long term bicycle parking as required per section 28.141(11) and Table 28I-3. Identify and dimension the required stalls as well as the access aisle on the final plan. A bicycle parking stall is a minimum of 2 feet by six feet with a five-foot access area. Up to 25% of bicycle parking may be structured, vertical or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. Provide a detail of the bicycle rack design, including any wall mounted racks.
20. Submit an updated zoning text with the final plan submittal.
21. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

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| 22. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. |
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**Water Utility** (Contact Dennis Cawley, 261-9243)

23. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

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

Comments not received in time to be included in this request.

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

This agency did not provide comments for this request.