

PLANNING DIVISION STAFF REPORT

November 4, 2013

PREPARED FOR THE URBAN DESIGN COMMISSION AND PLAN COMMISSION



Project Address: 5817 Halley Way
Application Type: Planned Development Rezoning
Legistar File ID # [31735](#) and [07173](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

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 amendment of a Planned Development General Development Plan and Specific Implementation Plan.

Proposal Summary: The zoning map amendment would allow the development of an 82-unit senior housing development. The housing development would be part of the Oak Park Place senior development at Grandview Commons. A similar building was approved in 2007 but that portion of the development was never implemented and that approval has since expired.

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 00084, rezoning 5817 Halley Way from PD-GDP-SIP (Planned Unit Development Plan-General Development Plan-Specific Implementation Plan) to amended PD-GDP-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 under construction, zoned Planned Development;

South: Building foundations for project no longer being constructed, with Townhomes and other undeveloped multi-family properties beyond, zoned Planned Development;

East: Apartment and Condominium developments, zoned Planned Development; and

West: Oak Park Senior housing campus.

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

Bulk Requirements	Required	Proposed
Lot Area Multi-family complex	As per approved plans	As per submitted plans
Lot width	As per approved plans	As per submitted plans
Usable open space	As per approved plans	As per submitted plans
Front yard	As per approved plans	As per submitted plans
Side yards	As per approved plans	As per submitted plans
Rear yard	As per approved plans	As per submitted plans
Floor area ratio	As per approved plans	As per submitted plans
Building height	As per approved plans	As per submitted plans
Number parking stalls	1 per dwelling (82) Office – 1 per 400 sq. ft.	5 surface 104 underground
Accessible stalls	4	1 – surface 3 - underground
Loading	None required	None shown
Number bike parking stalls	1 per unit (82) 1 guest space per 10 units (8)	20 – surface 30-storage lockers inside building
Landscaping	Yes	Yes
Lighting	Yes	TBD
Other Critical Zoning Items	Urban Design, Barrier free (ILHR 69), Utility easements	

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

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. That building was physically very similar to the building now proposed. The applicant never recorded the plans for the 61-unit building and the Zoning Administrator has determined that that approval has expired. This application also acknowledges that two additional dwelling units were added to the adjoining assisted living building. This change was administratively approved, noting at that time that two dwelling units were shifted from other portions of the subject block. No further action on that approval is necessary.

Project Description

The applicant proposes to construct a four-story, 82-unit senior apartment building.

The building includes a mix of studio, one, and two bedroom units. In total, there are 163 bedrooms proposed. A summary of the proposed dwelling unit mix is below.

	Dwelling Units	Number of Bedrooms
Studio	3	3
One-Bedroom	35	35
Two-Bedroom	44	88
TOTAL	82	126

The applicant describes these units as “luxury” apartments ranging in size from 770 to 1,800 square feet. Common amenities include a gathering room, outdoor patio, roof terrace, fitness room, and secure storage.

The mass of the building is very similar to that approved in 2007. 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.

There are 109 total automobile parking stalls. There are 104 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. (Note, the applicant, Oak Park, has recently acquired this property.) There are five surface parking stalls along the western side of the building. There are 20 proposed bike parking stalls on the exterior of the building. No other bike parking is currently proposed.

The application notes the inclusion of possible office space and daycare. The applicant has since confirmed such features are no longer part of this request.

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.

One of staff's concerns relates to the parking standard, noting that the bike parking is limited to 20 outdoor stalls. Additional bike parking is required to meet the Zoning Code.

Design Related Considerations

Staff's primary concern on the project's design relates to the architectural style and building form standard [Standard 28.098(e)]. Specifically, staff is concerned about the unarticulated base of the building, especially along North Star Drive (East Elevation) where the building is set back only 10 feet. The previously approved plans included a mid-building street-oriented entrance on North Star Drive. This entrance has been relocated to the corner of North Star and Gemini Drives. While staff does not object to a corner-oriented entry, the resulting façade now includes a larger unarticulated building base along much of the wall that reaches a height of 12 feet. While foundation landscaping will soften this appearance to a degree, staff believes that façade modifications should be considered, including the inclusion of vertical piers or other features to provide some vertical articulation that creates some shadow and depth along this wall. Staff is less concerned with similar unarticulated exposures on other facades as they are anticipated to have limited street visibility. Further

activation of the façade, including the incorporation of benches or artwork would also be desirable in these areas.

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 proposes a new senior apartment building that is similar to a 61-unit senior condominium structure approved in 2007. That development was approved along with the existing adjacent building fronting on Jupiter Drive. Plans for the 61-unit building were never recorded and that approval has since expired.

While the exterior mass of the building is not changing, the applicant is now proposing to have 82 units. This change adds 21 units beyond what is allowed in the underlying General Development Plan. The primary difference in the unit count is the conversion of some of the two bedroom units to one-bedroom units. The 2007 approval included all two-bedroom units and had a total of 122 bedrooms. This proposal includes a mix of one and two bedroom units, with 126 total bedrooms. The proposed zoning map amendment would revise both the underlying General Development Plan and the Specific Implementation Plan.

Staff has recommended that the applicant provide better building articulation along the exposed base of the buildings that abut the street. Staff also notes that the project will require additional bike parking, some of which that should be provided underground. With these modifications, staff believes that the approval standards for this proposal can be met.

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 00084, rezoning 5817 Halley Way from PD-GDP-SIP (Planned Unit Development Plan-General Development Plan-Specific Implementation Plan to amended PD-GDP-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 elevation drawings submitted for final sign-off include height dimensions.

2. That this approval adds 21 dwelling units to the general development plan for Grandview Commons, lots 446-450.
3. That additional bike parking be provided consistent with the zoning code.
4. That the applicant receives final approval from the Urban Design Commission prior to final sign-off and recording. (Initial approval given at the October 23, 2013 meeting.)

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

5. All utility (Doc No.'s 3913261 & 3709564) and access (Doc No. 4206918) easements shall include the reference to the recorded Document Number.
6. The site plan shall also have a note that cites the Declaration of Stormwater Drainage Easement per Doc. No. 4375730. The sites within this block are interdependent upon one another for stormwater management as per the document.
7. The discharge storm sewer pipe from the rain garden runs longitudinally within the Public Utility Easement and Public Road right of way. An alternate route shall be provided that only crosses the public utility easement and right of way.
8. Proposed storm sewer connects to a private system on adjacent lot. Prior to approval, provide documentation of an ownership and maintenance agreement for shared use of this storm sewer.
9. Submit a PDF of all floor plans to lzenchenko@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.
10. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
11. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
12. 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)
13. 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)
14. 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)

15. 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.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances and b) 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.
17. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: a) Building Footprints, b) Internal Walkway Areas, c) Internal Site Parking Areas, d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.), e) Right-of-Way lines (public and private), f) All Underlying Lot lines or parcel lines if unplatted, g) Lot numbers or the words “unplatted”, h) Lot/Plat dimensions, i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4)).

18. 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).
19. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including: a) SLAMM DAT files; b) RECARGA files; c) TR-55/HYDROCAD/Etc... and d) Sediment loading calculations.
20. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

21. Senior housing developments require pedestrian enhancements that are beyond normal development requirements. The existing Oak Park facility results in requests for higher level treatments by those residents who need to cross the street to access activities and treatments at the central building. This additional housing is expected to generate similar requests. The applicant shall provide a deposit in the amount of \$30,000 to improve pedestrian crossings in the vicinity of the Oak Park senior housing

development. The types and timeframes for improvements will be at the discretion of the City Traffic Engineer.

22. When the applicant submits plans for approval, the applicant shall show the following on one contiguous plan: existing items in the terrace (e.g., signs and street light poles), type of surfaces, percent of slope, existing and proposed property lines, addresses, all easements, all pavement markings, building placement, adjacent driveway approaches to lots on either side and across the street, signage, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, parking stall dimensions including the two (2) feet overhang on a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
23. The developer shall post a deposit and reimburse the City for all costs associated with any modification to traffic signals, street lighting, signing and pavement marking, and conduit/handholes, including labor, engineering and materials for both temporary and permanent installations.
24. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
25. All parking stalls shall conform to MGO standards as set in section 10.08(6)

Zoning Administrator (Contact Pat Anderson, 266-5978)

26. Previous project approved in 2007 was not constructed. The current submittal reflects a similar building and site, with the minor architectural changes. The project does include a change to the dwelling unit mix, an increase of 21 units, resulting in an 82 unit building.
27. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.
 28. Provide a minimum of 90 bike parking spaces (1 per dwelling unit plus one visitor space per 10 required spaces) distributed across the site, both interior of the building and surface locations near entrances. Work with zoning staff to locate these facilities or to consider a reduction in the bike parking requirement. Provide details of bike rack to be installed.
 29. Pursuant to Sec. 28.142 (3) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
 30. Parking requirements for persons with disabilities must comply with Sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.

Fire Department (Contact Bill Sullivan, 261-9658)

31. Provide fire apparatus access as required by IFC 503 2012 edition, MGO 34.503.

 - a. 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. This shall be measured along a walkable route. The retaining wall on the northwest side of site will restrict access from the fire lane shown on plans.

Water Utility (Contact Dennis Cawley, 261-9243)

32. 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)

33. The developer shall pay approximately \$192,978.80 for park dedication and development fees for the new 82 MF unit development.
34. The calculation of the park impact fees for a new development can be further reduced if this development will be restricted to persons fifty-five (55) years of age or older. In accordance with MGO 16.23(8)(f)4, "... where a multi-family development in whole or part will be limited to occupancy by persons fifty-five (55) years of age or older by appropriate recorded restriction for a period of not less than thirty (30) years, ...", a restriction that remains in effect for 30 years limiting these units to persons 55 years of age or older must be recorded. Please contact Kay Rutledge for appropriate deed language.
35. The developer must select a method for payment of park fees before signoff on the conditional use.
36. 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.
37. This development is within the Door Creek park impact fee district (SI23). Please reference ID# 13157 when contacting Parks about this project.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.