



**Project Address:** 633 N. Henry Street and 140 Iota Court  
**Application Type:** PD-SIP/ Conditional Use Alteration  
**Legistar File ID #** [31817](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted.

## Summary

**Applicant & Property Owner:** Chris Houden, Palisades Apartments, LLC; 6417 Normandy Lane; Madison.

**Agent/ Contact:** J. Randy Bruce, Knothe & Bruce Architects, LLC; 7601 University Avenue, Suite 201; Middleton.

**Requested Action:** Approval of an alteration to an approved Planned Development–Specific Implementation Plan and conditional use to allow plans for a fifth-floor terrace for an apartment building currently under construction at 633 N. Henry Street to be revised to include a pool and for balconies to be added to the lake-facing façade of an existing apartment building at 140 Iota Court.

**Proposal Summary:** The Planned Development district for 619-625 N. Henry Street, 140 and 145 Iota Court and 150 Langdon Street approved in February 2013 included a rooftop terrace at the northwestern corner of a six-story, 71-unit apartment building currently under construction at the southeastern corner of N. Henry Street and Iota Court, which has been given the address 633 N. Henry by the City Engineering Division. The applicant proposes to incorporate an outdoor pool into the plans for this terrace. No other changes to the plans for this building are proposed. In addition, the applicant is also seeking approval to add balconies onto the northerly façade of the existing Cliff Dwellers Apartments, which will be renovated as part of the overall Planned Development approval, as will the 13-unit apartment building at 150 Langdon Street.

**Applicable Regulations & Standards:** Section 28.098(6) states that “No alteration of a Planned Development District shall be permitted unless approved by the Plan Commission, provided however, the Zoning Administrator may issue permits for minor alterations that are approved by the Director of Planning and Community and Economic Development and are consistent with the concept approved by the Common Council.” According to Section 28.098(6), the Plan Commission is authorized to approve alterations to a Planned Development zoning district using the review standards in Section 28.098(2). 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 proposed alteration consistent with the Planned Development approved by the Common Council and **approve** an alteration to the Planned Development-Specific Implementation Plan and conditional use to allow a pool to be constructed on the fifth-floor terrace of an apartment at 633 N. Henry Street and for balconies to be added to the lake-facing façade of an existing apartment building at 140 Iota Court, all 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 overall Planned Development district comprises an approximately 0.9-acre area generally located at the southeasterly corner of N. Henry Street and Iota Court; Langdon Street National Register Historic District; Aldermanic District 2 (Zellers); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The approved six-story, 71-unit apartment building at 633 N. Henry Street is currently under construction. The 37-unit Cliff Dwellers Apartments at 140 Iota Court and the 13-unit apartment building at 150 Langdon Street will undergo renovation per the approved PD-SIP prior to completion of the new apartment building.

### Surrounding Land Use and Zoning:

North: Chi Psi Fraternity (“The Lodge”), zoned DR-2 (Downtown Residential 2 District); Lake Mendota;

South: Multi-family residence at 615 N. Henry Street; Kappa Kappa Gamma Sorority at 601 N. Henry Street; Kappa Ch. Alpha Chi Omega Sorority at 152 Langdon Street, all zoned DR-2;

West: Multi-family residences, Chi Phi Fraternity, zoned DR-2;

East: Private easement driveway; Nottingham Cooperative, Theta Delta Chi Fraternity, and boarding house, zoned DR-2.

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site within the Langdon Downtown Residential Sub-district, which recommends development of mixed-use buildings, small-scale neighborhood-oriented commercial uses and multi-family housing at densities up to 60 units an acre as recommended in more detailed neighborhood plans. The recommended building height in this sub-district ranges from 2-8 stories, with the tallest buildings in the State Street transition area. Historic preservation and neighborhood conservation were identified as issues to be addressed as properties in the sub-district are redeveloped.

The subject site is also included in the Langdon District in the Downtown Plan. The Plan recommends that Langdon neighborhood build on its history as a traditional student neighborhood that can accommodate a limited amount of higher-density residential redevelopment on selected sites while maintaining the area’s historic and architectural integrity.

**Zoning Summary:** The site is zoned PD-SIP. The PD-SIP alteration will be reviewed in the following sections.

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

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor (Map E8).

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

## Previous Approvals

On February 3, 2013, the Common Council approved a conditional use for waterfront development and a request to rezone 619-625 N. Henry Street, 140 and 145 Iota Court and 150 Langdon Street from R6 (General Residence District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a six-story, 71-unit apartment building following the demolition of 3 existing apartment buildings at 619 and 625 N. Henry Street and 145 Iota Court, and the renovation of 2 other apartment buildings at 140 Iota Court and 150 Langdon Street.

On December 13, 2012, the Zoning Board of Appeals approved a waterfront setback variance for the balconies on the building at 140 Iota Court to be enclosed as part of a remodel of the building. This approval also allowed for the 1-foot deep "French" balconies as part of the remodeling.

On October 10, 2013, the Zoning Board of Appeals approved a second waterfront setback variance for 140 Iota Court to allow 4-foot deep balconies to be added on the lake-facing façade of the building.

## Project Description

The applicant is requesting Plan Commission approval of an alteration to the specific implementation plan and conditional use for the 0.9-acre Planned Development district approved earlier this year on the east side of N. Henry Street generally on both sides of Iota Court to allow a pool to be added to the plans for an approved rooftop terrace on the fifth floor of a six-story, 71-unit apartment building currently under construction at 633 N. Henry Street. The alteration also requests approval to add balconies to the façade of the Cliff Dwellers Apartments facing Lake Mendota.

The approved rooftop terrace is located at the northwestern corner of the new apartment building overlooking the corner of N. Henry Street and Iota Court. The exterior dimensions of the terrace are not proposed to change with the introduction of the pool, though the pool deck will be raised above the height of the rest of the terrace. A glass railing system is proposed above the approved brick parapet walls to provide the needed safety enclosure for the pool. No other changes to the new apartment building are proposed with this alteration request.

As noted in the preceding section, the façade of the renovated Cliff Dwellers building facing Lake Mendota was approved with one-foot deep "French" balconies as part of the approved enclosure of the original balconies as additional living space for the units on the northerly side of the building. The proposed alteration requests for the approved French balconies to be replaced with metal-framed, cable-rail balconies that will project 4 feet from the lake-facing wall of the building. The Zoning Board of Appeals recently granted a variance to the waterfront setback to allow for the deeper balconies. No other changes to the Cliff Dwellers Apartments are proposed with this alteration request.

## Analysis and Conclusion

The Planning Division believes that the standards for approval can be met and that the proposed specific implementation plan and conditional use alteration is consistent with the plans approved by the Common Council.

The raised pool deck and glass enclosure should have little or no impact on the exterior appearance of the new six-story apartment building, and the introduction of the pool should not have an impact on surrounding

properties dissimilar from any impact that may be caused by the ordinary use of the previously approved rooftop terrace by residents of the apartment building. Staff will note that continuing jurisdiction applies to this Planned Development district by virtue of all of the uses being identified in the approved zoning text as conditional uses, which therefore allows the Plan Commission to consider any valid complaints against the project, including the use of the pool. In the event that the Plan Commission determined that there was a reasonable probability that the building and pool were not operating in accordance with the approval, the Commission could modify or revoke the conditional use following a duly noticed public hearing.

Planning staff similarly believes that the introduction of deeper balconies on the lake-facing wall of the Cliff Dwellers Apartments should have little or no impact on surrounding properties, although it is aware of an objection by a party involved with the adjacent fraternity house. Staff does not believe that the proposed metal and cable balconies will create a significant visual impact on the enjoyment of lake views from nearby properties due to the relatively transparent nature of those projections, and feels that the addition of these balconies should generally result in higher-quality dwelling units in this building.

## Recommendation

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

The Planning Division recommends that the Plan Commission find the proposed alteration consistent with the Planned Development approved by the Common Council and **approve** an alteration to the Specific implementation plan and conditional use to allow a pool to be constructed on the fifth-floor terrace of an apartment at 633 N. Henry Street and for balconies to be added to the lake-facing façade of an existing apartment building at 140 Iota Court, subject to input at the public hearing and the following conditions:

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

1. Prior to the recording of the alteration and issuance of amended building permits for these projects, the plans shall be revised per Planning Division approval as follows:
  - a. Clarify that the glass railing system for the proposed pool area is clear glass;
  - b. Provide a section of the pool at the northwestern corner of the fifth floor of 633 N. Henry Street;
  - c. Provide the proposed elevations of all four walls of 140 Iota Court and denote the final materials for the balconies proposed on the lake-facing facade.

**The following conditions of approval have been submitted by reviewing agencies:**

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

2. The applicant shall provide information on where the (storm or sanitary) filter and any pool discharges shall be directed prior to approval. Other permits may be needed depending on the information provided.
3. 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).

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

This agency did not provide comments for this request.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

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

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

4. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. However, ensure the 2-hour fire rating of Stair B continues in corridor leading to roof plaza.

**Water Utility** (Contact Dennis Cawley, 261-9243)

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

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

This agency did not provide comments for this request.

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

This agency did not provide comments for this request.