

September 1, 2009

Madison Department of Planning & Community & Economic Development
Attention: Kevin Firchow
Suite LL 100
Municipal Building
Madison, WI 53703
VIA EMAIL: kfirchow@cityofmadison.com

Re: 5801 Gemini Drive Rezoning Request

Dear Mr. Firchow:

On the behalf of the undersigned owners and operators of the Chamomile Community Based Residential Facility, we appreciate the opportunity to submit comments regarding the proposed rezoning of 5801 Gemini Drive (the “Project”) from a PUD-SIP to an amended PUD-GDP-SIP. We oppose the proposed rezoning for the following reasons:

1. Setback. If rezoned as proposed, the Project would violate state law and city ordinances requiring a minimum 2,500 foot setback between community living arrangements. Our established RCAC is located across the street from the Project and well within the 2,500 foot setback. As you know, the setback requirement is intended to further the rehabilitative purpose of a *community* living arrangement by blending—and not clustering—such facilities into existing residential areas. The approximately half-mile setback is further intended to encourage planning practices that lead to diverse, interconnected uses and to preserve the established character of neighborhoods and communities. Here, the proposed rezoning would put another RCAC facility across the street from our existing RCAC facility. If approved, the rezoning would cluster RCAC facilities and their residents, set a precedent for future such approvals, and detract from the established character of the neighborhood and community.
2. Density. The rezoning application for the Project does not address state and city aldermanic density restrictions. Those requirements restrict the total capacity of all community living arrangements in an aldermanic district. In short, the Project may not have the effect of increasing the number of persons living in community living arrangements beyond the greater of 25 persons or one percent (1%) of the district population. Like the setback requirement, the density requirements are intended to both encourage the integration of a community living arrangement into the surrounding community and to preserve the established character of the surrounding neighborhood.

3. Parking. The rezoning for the proposed project will pose significant health and safety issues due to inadequate parking. As currently written, the Project application claims that no new parking is needed because, from "experience", the applicants believe that no more than 50% of RCAC residents own a car. However, from our experience, the application and Project fail to account for the substantial parking needs of RCAC residents, staff and visitors. In fact, area parking facilities are frequently filled by visitors and others, requiring use of street parking. If approved, the Project would exacerbate existing parking and traffic problems. Already, the north side of the street does not allow any parking and the adjacent roundabout helps create a steady flow of distracted and anxious motorists who pass through a congested area with numerous parked cars and pedestrians. Finally, the former Cloud 9 restaurant is re-opening soon, with the likely result that the south side of the road will see a dramatic increase in street parking.

Please include me as an interested person with regard to this Project and, to the extent possible, provide me with notice of any related meetings, hearings or decisions. Again, thank you for this opportunity to provide comments.

Sincerely,

Jeff Shields



Jeff Shields, Owner
Chamomile Assisted Living
842 Jupiter Drive, Madison, WI 53718

cc: John Tuohy, President, McClellan Park Neighborhood Association (VIA EMAIL:
tuohys@charter.net)
Alder Lauren Cnare, District 3, City of Madison Common Council (VIA EMAIL:
district3@cityofmadison.com)