



PREPARED FOR THE PLAN COMMISSION

Project Address: 7933 Tree Lane (District 9 - Ald. Skidmore)
Application Type: Planned Development Amendment
Legistar File ID # [46112](#)
Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant and Property Owner: Michael Goldberg; Heartland Housing, Inc.; 320 East Center St.; Milwaukee, WI 53712

Contact: David Jennerjahn; Valerio Dewalt Train Associates, Inc.; 500 N Dearborn St. Ste 900; Chicago, IL 60654

Requested Action: Approval of an alteration to an approved Planned Development-General Development Plan-Specific Implementation Plan for 7933 Tree Lane to amend the conditions of approval to remove the conditions related to the provision of a pedestrian connection to High Point Road.

Proposal Summary: The Applicant is seeking approval of an alteration to the approved Planned Development located at 7933 Tree Lane conditions of approval. The requested alteration would remove three conditions of approval, including Planning, City Engineering, and Metro Transit related to the feasibility analysis, design, and construction of an accessible pedestrian path from the east side of the project site to High Point Road.

Applicable Regulations & Standards: Pursuant to Section 28.098(6)(b), MGO, major alterations may be approved by the City Plan commission if the requested alterations are consistent with the concept approved by the Common Council.

This proposal is subject to the standards for Planned Developments in Section 28.098(2), MGO.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Planned Developments are met and **approve** the requested alteration to the Planned Development-Specific Implementation Plan at **7933 Tree Lane**. 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 property is located on the east side of Tree Lane, just north of the intersection of Mineral Point Road and Tree Lane. The project site is comprised of approximately 57,495 square feet (1.32 acres).

The site is in Aldermanic District 9 (Skidmore) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The 1.3-acre property is largely undeveloped with scattered trees and wetland area along the northern and eastern edges of the site. On the western portion of the site is an existing access driveway and small asphalt parking area associated with the commercial property immediately to the south.

Surrounding Land Use and Zoning: The project site is zoned Planned Development (PD-SIP).

North: Immediately north of the project site is a 100-foot wide city-owned stormwater management parcel in the Commercial Center (CC) zoning district. North of drainageway is low and medium density multi-family residential development zoned Planned Development (PD);

South: Immediately to the south is a two-story, 15,000 square foot office building which shares access from Tree Lane with the subject site, CC zoning;

East (across High Point Road): 537-unit multi-family residential complex on a 24-acre site, Suburban Residential-Varied 2 (SR-V2) zoning; and

West (across Tree Lane): A city-owned stormwater management parcel and a 50,000 square foot, one-story multi-tenant retail building, PD zoning.

Zoning Summary: The project site is zoned Planned Development (PD).

Other Critical Zoning Items	
Yes:	Urban Design (Public Building); Floodplain; Adjacent to Park (Warner Park); Barrier Free (ILHR 69); Utility Easements; Wetlands, Wellhead Protection District
No:	N/A

Zoning Table prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Adopted Land Use Plan: The Comprehensive Plan recommends General Commercial (GC) uses for this property and properties to the south. Properties to the north of the drainage area are recommended for medium density residential uses.

Previous Approvals: At its January 5, 2016 meeting, given the positive recommendation from the Plan Commission from December 7, 2015, the Common Council approved the request to rezone property at 7933 Tree Lane from Commercial Center (CC) to Planned Development-General Development Plan-Specific Implementation Plan (PD-GDP-SIP) to construct a four-story, 45-unit multi-family apartment building (Liegstar ID No. [40665](#)). The program includes 100 percent permanently affordable housing units, office space, common spaces, and a range of services for households that have been faced with a lack of adequate housing.

As part of the initial approval, providing direct pedestrian access to High Point Road was identified as a critical linkage to transit service and amenities to the east. A condition of approval for the provision of an accessible pedestrian path to High Point Road, either through city-owned stormwater management parcel, or via the commercial property to the south was included in the conditions of approval.

Three conditions of approval were included in the approval:

- Planning: *Final plans submitted for staff review and approval shall include an accessible pedestrian path from the east side of the site to High Point Road.*
- Engineering: *Engineering is given to understand that there is a desire to construct an access path from the site to High point Road. The applicant shall work with City Engineering to design an access route within the publicly owned greenway that can be utilized as a maintenance route for the greenway as well.*

Metro Transit: *The applicant should seek to coordinate with the City of Madison to provide an accessible pedestrian connection running east from the site (using adjacent public greenway) to connect the project with High Point Road. This connection would significantly reduce the walking distance between the project and the existing bus stop on Ganser Way.*

Minor Alteration: The Applicant has submitted two requests for administrative, minor alterations to the Planned Development-Specific Implementation Plan, including:

- Alteration to the building prow changing the architectural roof form pitched to flat;
- Modification of the windows and framing on the west side of the building from steel to wood;
- Elimination of the slot windows along the side of the stair tower to meet fire code; and
- Addition of colored cladding around the second entry for visual enhancement (see attached rendering).

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor, although the City-owned stormwater management parcel immediately to the north does lie within an environmental corridor.

Public Utilities and Services: This property is served by a range of urban services, including weekday Metro Transit service with stops at the intersection of Mineral Point and High Point Roads, and daily transit service from the intersection of Mineral Point and Ganser Way, another block to the east.

Project Description

The Applicant is seeking approval of an alteration to the conditions of approval of the Planned Development located at 7933 Tree Lane. The requested alteration would remove three conditions of approval, including Planning, City Engineering, and Metro Transit related to the feasibility analysis, design, and construction of an accessible pedestrian path from the east side of the site to High Point Road along the City-owned drainageway adjacent to the project site on the north.

At the time of the Planned Development's initial approval, a pedestrian path was not proposed or included in the plans.

No other alterations are specifically requested and are not part of this request. A condition noting this is included in the recommendation section of this report.

Analysis and Conclusion

Planning Division staff, City Engineering, and Metro Transit believe that the intent of the initial conditions of approval has been met. City staff, from the three divisions have worked to determine the feasibility of providing a pedestrian connection from the project site east, along the drainageway, to High Point Road. Based on staff analysis, the path has been determined **not to be feasible due to...detention pond...grade...connectivity issues...bridge, expense, etc.**

An alternative route (as shown in the Applicant's Plans) was also considered, including the provision of a path across adjacent property. The Applicant, as noted in their Letter of Intent, identified that the provision of the alternative route across adjacent properties would require third-party cooperation, adding uncertainty of the possibility of this particular Applicant providing the desired connection. In addition, the alignment of this path poses issues given the existing development configuration in terms of minimizing vehicular/pedestrian conflicts and detention pond location.

City staff believes that the existing sidewalk infrastructure, while a slightly longer path (20 feet) than the alternative route identified by the applicant, provides adequate facilities for the movement of pedestrians from the project site to High Point Road.

As the site is an existing Planned Development, alterations must be evaluated against the approval standards for Planned Developments. The Zoning Code states that major alterations may be approved by the Plan Commission if the requested alterations are consistent with the concept approved by the Common Council. Given the existing sidewalk facility and the fact that no other changes are being sought, the Planning Division believes that this proposal is consistent with the concept approved by the Common Council and that the other approval standards can be found met.

At the time of report writing no public comment had been received.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

The Planning Division recommends that the Plan Commission find that the approval standards for Planned Developments are met and **approve** the requested alteration to the Planned Development-Specific Implementation Plan at **7933 Tree Lane**. 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 Jessica Vaughn, (608) 267-8733)

1. That the alterations included in this approval are those specifically described in the letter of intent, depicted on plans, and summarized in this report. No other alterations are included within this approval.

City Engineering Division (Contact Timothy Troester, (608) 267-1995)

This agency has reviewed this request and has recommended no conditions of approval.

Traffic Engineering Division (Contact Eric Halvorson, (608) 266-6527)

This agency has reviewed this request and has recommended no conditions of approval.

Zoning (Jenny Kirchgatter, Assistant Zoning Administrator, (608) 266-4429)

This agency has reviewed this request and has recommended no conditions of approval.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

This agency has reviewed this request and has recommended no conditions of approval.