



December 5, 2018

Mr. Tom Harrigan  
Zoning/ Planning Administrator  
Village of Elm Grove  
13600 Juneau Boulevard  
Elm Grove, WI 53122

*Re:* Formal Request to the Board of Trustees:

1. Petition to Re-zone 13040 W Bluemound Road to RM-2;
2. Apply for a Residential Planned Development Overlay; and to
3. Amend the Comprehensive Plan.

Dear Mr. Harrigan,

Please accept this Petition as Horizon Development Group, Inc.'s ("Horizon") formal request to (1) re-zone 13040 W Bluemound Road (the "Property") from B-3 Mid-Rise Office and Professional District to RM-2 Multiple-Family Residential District; (2) apply for a Residential Planned Development Overlay; and (3) amend the Village's Comprehensive Plan. We are submitting this Petition to accommodate the development of Elm Grove Heights, a 75-unit, independent senior apartment community restricted to individuals aged 62 years and better.

**Legal Authority to Submit Request:**

Horizon currently has an accepted offer to purchase the Property that grants to Horizon the right to pursue a re-zoning to accommodate the development of Elm Grove Heights.

**Legal Description of the Property:**

Lot 2 of Certified Survey Map No. 8351, being a redivision of Parcel 2 of Certified Survey Map No. 5703, being a part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , and the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 25, Town 7 North, Range 20 East, in the Village of Elm Grove, Waukesha County, Wisconsin.

### **Contents of Petition:**

Pursuant to the Village of Elm Grove's requirements for submitting a formal re-zoning request, we have included the following documentation:

- (1) Petition to re-zone;
- (2) Plot plan at a scale of 1" = 100', showing area to be re-zoned and existing adjacent zoning districts and uses within 300 feet;
- (3) Owner's names and addresses of all properties lying within 100'.

As the conceptual review of Horizon's Elm Grove Heights proposal took place in May of 2018, we also felt it appropriate to include (1) the architectural site plan; (2) updated south and east elevations; and (3) a perspective elevation showing the size and height of Elm Grove Heights relative to the adjacent Building Trades Association to the west.

### **Site Description, Current Zoning, & Surrounding Uses**

The Property is currently zoned B-3 Mid-Rise Office and Professional.

The site consists of 2 acres of vacant land, located on the north side of Bluemound, just east of Elm Grove Road. Parcels to the east and west consist of office suites, while parcels adjacent to the northeast, north, and northwest include multifamily uses.

### **Rationale for Re-zoning and Amending the Comprehensive Plan**

Amending the Comprehensive Plan to accommodate Elm Grove Heights will help meet the housing demand for the Village's rapidly expanding senior population. The US Census Bureau estimates that the senior demographic will continue to expand over the next decade, reaching approximately 20% of the national population by 2030.<sup>1</sup> Elm Grove is actually well ahead of this trend: as of 2000, the Comprehensive Plan indicates that over 34% of Elm Grove's residents are over the age of 64, 16.9% of which are over the age of 75.<sup>2</sup> Unfortunately, Elm Grove residents do not currently have options in the Village or the immediate surrounding area for independent senior housing. Elm Grove Heights presents an opportunity for the Village to create the only independent senior community in the Village. With an already large senior population that will continue to expand, it is important for Elm Grove to address this need.

Elm Grove Heights is compatible with the multifamily uses in the surrounding area. There are 18 parcels of Elm Grove land within 1,000 feet of the Property that are zoned for or have an existing conditional use permit for multifamily (several of which front Bluemound Road). This includes the immediately adjacent parcels to the north, northwest, and northeast, which all contain existing condominiums or multifamily rentals. Independent senior housing will work well with these uses and it will provide support to local businesses.

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<sup>1</sup> *An Aging Nation: The Older Population in the United States*. US Census Bureau. Pp. 2-4.

<sup>2</sup> The Comprehensive Plan for the Village of Elm Grove, Chapter 3: Housing. P. 24.

Elm Grove Heights will help to stimulate Elm Grove’s next economic cycle by keeping higher income seniors in the Village, and by promoting turnover of the existing housing stock. The Village’s Comprehensive Plan identifies the following issues:

“(1) Senior-aged persons that desire to remain as Village residents but “downsize” their housing accommodation may be unable to secure housing within the Village that provides options for senior-aged services, is affordable and is of smaller scale than typical single family detached units.

(2) The density of housing in the Village represents a potential barrier for future economic viability and vitality as a local hub for retail goods and services.”<sup>3</sup>

Elm Grove Heights will provide seniors, who helped build the community, the opportunity to sell their homes and remain in the Village. In the process, the existing housing stock will be turned over to families who will become the next generation of home owners. The increase in population will support local businesses and make Elm Grove a more attractive location for future retail goods and services. Also, Elm Grove Heights will increase the Village population at a location that is designed to accommodate higher levels of population.

High visibility locations like Bluemound Road are ideal for projects like Elm Grove Heights because independent senior housing has a low impact on traffic counts. The development team contacted the Wis DOT to discuss the proposed project, and Wis DOT indicated that they will not require a traffic study. They believe that Bluemound Road is well-suited to handle the light increase in vehicular traffic that will be generated by 75 units of senior housing. Wis DOT’s conclusion is consistent with Horizon’s internal data: we typically see less than one trip vehicular per apartment unit per 12-hour period at comparable properties.

### **Request and Rationale for Residential Planned Development Overlay**

In addition to re-zoning the Property to RM-2, Elm Grove Heights is requesting a Residential Planned Development Overlay (“Residential PDO”) under Section 335-30(D)(4).<sup>4</sup> This Section permits sites of at least 1.5 acres to apply for a Residential PDO if they are adjacent on at least one complete side to a business, office, or manufacturing zoning district. Elm Grove Heights is eligible to apply under this section because the site is 2 acres in size and the northern and eastern lot lines of the Property are adjacent to parcels with B-3 Mid-rise Office and Professional District zoning.

A Planned Development Overlay (“PDO”) is justified in this instance because the PDO statute was intended to provide for flexibility from zoning standards to accommodate high quality projects with uses that are consistent with the underlying zoning district.<sup>5</sup> Elm Grove Heights meets the intent of the PDO statute because (1) independent senior housing is permitted by conditional use under existing zoning (B-3) and will be permitted by right upon re-zoning to RM-2; and (2) Elm Grove Heights will meet the highest quality residential comparable in the Village.

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<sup>3</sup> The Comprehensive Plan for the Village of Elm Grove, Chapter 2: Issues and Opportunities. P. 5.

<sup>4</sup> See Section 335-30(D). The Village of Elm Grove Code of Ordinances.

<sup>5</sup> See Section 335-30(A)&(C). The Village of Elm Grove Code of Ordinances.

If this Petition is referred to the Plan Commission by the Board of Trustees, we intend to request flexibility from a number of zoning requirements (density, building height, setbacks, and parking). While we intend to address flexibility requests from building height, setbacks, and parking requirements in our General Development Plan, Village Staff recommended that we specifically address our density request in this Petition.

**Request and Rationale for Enhanced Density:**

Elm Grove Heights is designed at a density of 37.5 units per acre (75 units / 2 acres). Pursuant to the RM-2 zoning district, the Board of Trustees may grant an “enhanced density” of up to 38 units per acre as part of the Residential PDO evaluation process.<sup>6</sup> To be eligible for “enhanced density,” the PDO statute requires that the project be of “exceptionally high quality, comparable to the highest quality tier” of residential units in the Village.<sup>7</sup> In considering a request for enhanced density, the Village Board of Trustees considers the criteria listed below. Our Petition addresses each standard in turn.

(1) *“Whether the project will provide better utilization of the land and better preservation of natural resources than would otherwise be realized if the site were developed either in conformity with the density requirements of the underlying district or as a PDO District without an enhanced density;”*

- High density residential will support the high cost to acquire and develop this parcel with a use that will maintain high occupancy. High traffic counts on Bluemound Road result in high land costs and high commercial rents, which together have produced many vacancies in commercial and retail properties on Bluemound Road. The Property is one of the only vacant parcels in the Village and is highly underutilized. While permitted uses in the B-3 district (hotels, motels, fitness center, retail, etc.) will face the same struggles to achieve feasibility and maintain occupancy, a residential use with enhanced density will support the high cost of developing this parcel. Elm Grove Heights will generate consistent, significant tax dollars with a minimal impact on Village resources.
- Senior housing is more compatible with the Emerald Woods Condominium Association (“EWCA”) to the north than other uses in the B-3 district (hotels, motels, fitness center, retail, etc.). The Elm Grove Heights Property has granted an access easement to the EWCA and Wis DOT will not allow another curb cut for this location. As a result, the EWCA must share a single access point with whatever use develops this Property. Independent senior housing is a low-impact use that pairs well with residential condominiums and will generate less traffic than other uses in the B-3 district.
- By granting a re-zoning and enhanced density, Elm Grove Heights will be able to achieve feasibility and bear the cost of requested public improvements. The Village has requested that Elm Grove Heights extend municipal water from the northeast

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<sup>6</sup> See Section 335-21.1(C)(2). The Village of Elm Grove Code of Ordinances.

<sup>7</sup> See Section 335-30(F)(3)(a). The Village of Elm Grove Code of Ordinances.

corner of Bluemound and Elm Grove Roads. As discussed, the costs of developing parcels on Bluemound Road are already extraordinary and enhanced density will allow Elm Grove Heights to construct the requested public improvements. The extension of municipal water will benefit the Village long-term by providing surrounding businesses and condominium uses the option to connect to municipal water. In addition we will be installing a fire hydrant at the north end of our development which will be in proximity to both the Emerald Woods and Douglas Plaza condominium developments. This greatly improved access to municipal water for fighting fires will increase the safety for both the condominium residents and for firefighters.

- The Elm Grove Heights plan maintains the greenspace along the northern third of the Property with a setback of 179 feet from the nearest Emerald Woods building. This will remain a natural woodland which will protect the stream running through the property.

(2) *“Whether the project makes adequate provision such that an increase in residential density will not have an unreasonable adverse effect on neighboring properties, existing and/or proposed public rights-of-way and/or municipal and other public services as a result of the type, intensity and frequency of the use(s) associated with the proposed project;”*

- Our design has many features to minimize the impact on Emerald Woods Condominium Association. (1) We are rebuilding and widening the shared access drive at no cost to Emerald Woods and will be sharing road maintenance costs in the future. (2) The widened entry drive will improve emergency vehicle access to our site and to Emerald Woods. (3) We will be constructing a service drive on the northern side of the our building that will assist with move-ins, fire department accessibility, and U-turns by service vehicles (4) We will be installing stop signs at our motor court and garage exits with a warning indicator light at our garage exit to alert Emerald Woods residents to cars exiting our parking garage. (5) We are including wider tapers from the drive to the public right of way entrance on Bluemound Road to facilitate ingress/egress. (6) We will be installing improved entry drive street lighting to enhance safety. (7) We will be installing an attractive “Private Property” sign at the end of our property indicating that only owners and guests may enter the Emerald Woods Property. (8) We will be improving the landscaping along the east property line of Elm Gove Heights to screen the adjacent commercial use.
- Senior housing will have a lower impact on traffic than business or retail uses permitted under B-3 such as a hotel or motel. Bluemound Road is designed to support high volume traffic and, even at higher density, senior housing will have a low impact on surrounding properties. Horizon’s internal traffic statistics show an average of less than one auto trip per 12 hour day per apartment unit for comparable properties. Demographic data from Horizon’s 30 years of senior housing experience indicates that our average occupancy at Elm Grove Heights will be only 1.1 persons per unit, which will result in a minimal increase in traffic circulation. The average age of our residents at move in will be 76, and only about 75% will

have cars. Finally, we contacted the Department of Transportation, which indicated that 75 units of senior housing would not require a traffic study due to the low traffic volume generated.

- As for Village services, our pledge to extend municipal water will make it easier for adjacent property owners to connect to municipal water in the future through a cost-sharing agreement.

(3) *“Whether the structures proposed for the project are harmonious with existing surrounding structures and land uses;”*

- Currently 18 parcels with multifamily uses or zoning exist within 1,000 feet of our location, including three adjacent parcels to the north, northwest, and northeast.
- Our architect, Dale Streitenberger, an Elm Grove resident, and a Principal with JLA Architects has studied the surrounding building carefully to ensure that the design of Elm Grove Heights is attractive and harmonious with the existing structures. The residential character of our design blends well with the surrounding multifamily uses and our anticipated building height is lower than the Building Trades Association building immediately to the west. Approaching traffic from the east will have a nearly identical aesthetic to the current view, and traffic approaching from the west on Bluemound Road and from the north on Elm Grove Road, will be unable to see our building until they pass the Building Trades Association building.

(4) *“Whether building materials have been selected and are proposed to be utilized in a manner that is harmonious with the natural environment and the general character of other buildings and structures in the vicinity of the proposed development;”*

- Our architect, JLA Architects has selected multiple materials which are harmonious with the surrounding buildings and which are comparable to other multifamily properties in the Village. The building materials will include ground face block to create a building base; two colors of brick masonry; long lasting cement board siding; extensive architectural detailing on the facades; metal roofing at the building entrance; and a residential style shingled roof.

(5) *“Whether the proposed project will result in the construction or upgrading of specific public infrastructure improvements that will benefit the public without cost to the Village;”*

- The Village is requesting that we connect to municipal water. Elm Grove Heights will pay for this at no cost to the Village. Connecting to municipal water will require us to extend a 12” PVC water line from the northeast corner of Bluemound and Elm Grove Road to our eastern lot line. Any future redevelopment of properties to our east will be able to connect to municipal water by entering into a cost-sharing agreement with Elm Grove Heights. In addition, adjacent properties which are not currently connected to municipal water will be able to do so in the future.

- We will be installing a public fire hydrant at the north end of our development which will be a significant upgrade in the ability of the fire department to fight fires in this area.

(6) *“Whether the proposed project will enhance an existing structure that is deemed beneficial to the character of the neighborhood where it is situated.”*

- While not directly applicable, our project will redevelop one of the most underutilized parcels in the Village – a vacant lot on Bluemound Road which has been vacant for many years. Elm Grove Heights will be a very attractive building which will enhance the values of adjacent properties.
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We are excited to be working on this project and firmly believe that Elm Grove Heights will bring great value to the Village of Elm Grove and your senior residents. Thank you for your time and consideration.

Sincerely,

**HORIZON DEVELOPMENT GROUP, INC.**



*Philip Schultz*  
Managing Partner

cc. William Rutherford, Horizon