



PREPARED FOR THE PLAN COMMISSION

Project Address: 1603-1609 Monroe Street (13th Aldermanic District, Alder Eskrich)
Application Type: Major Alteration to Approved Conditional Use
Legistar File ID #: [46282](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Heather Stouder, AICP, Planning Division Director

Summary

Applicant: Paul Cuta; CāS₄ Architecture, LLC.; 303 S. Paterson Street, Ste. 1; Madison, WI 53703
Contact: Paul Cuta; CāS₄ Architecture, LLC.; 303 S. Paterson Street, Ste. 1; Madison, WI 53703
Property Owner: Gregg Shimanski; 1603 Monroe Street; Madison, WI 53711

Requested Action: The applicant requests approval of a conditional use to establish a vehicle access sales and service window.

Proposal Summary: The applicant proposes to modify the lower level of an approved (and not constructed) mixed-use building to provide a vehicle access sales and service window (“drive-thru”) for a bank.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses (MGO § 28.183(6)). This request is also subject to the Supplemental Regulations for vehicle access sales and service windows (MGO § 28.151).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that this item be referred to the Plan Commission meeting of April 24 to allow the applicant time to work with City Traffic Engineering to address their concerns on the current and/or revised proposal. In the alternative, should the Plan Commission be able to find the standards are met, this item should be approved subject to the input at the public hearing and the comments and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The 0.39 acre subject property is located on the south side of Monroe Street, immediately west its intersection with Oakland Avenue. The site is within Aldermanic District 13 (Ald. Eskrich) and within the limits of the Madison Metropolitan School District

Existing Conditions and Land Use: The site includes two buildings, a two-story 11,736-square-foot commercial building on the corner of Monroe Street and Oakland Avenue, constructed in 1960 and two-story, four-bedroom 1,722-square-foot residence, constructed in 1904.

Surrounding Land Use and Zoning:

Northwest: Directly across Monroe Street is Crazylegs Park, zoned PR (Parks and Recreation). To the west of the Park, across South Breeze Terrace, are commercial properties zoned TSS (Traditional Shopping Street) behind which is the Southwest Bicycle Path (zoned TR-C2 (Traditional Residential – Consistent District 2)) with single-family residences (zoned TR-V1 (Traditional Residential – Varied District 1) beyond;

Northeast: Across Oakland Avenue to the northeast, two-story mixed-use buildings (with restaurants and retail on the ground floor), and a four-story hotel, all zoned TSS;

Southeast: Single-family residences zoned TR-C4 (Traditional Residential - Consistent 4); and

Southwest: Three-story multi-family residential buildings, single-family residences and office uses, all zoned TSS.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends neighborhood mixed-use development for the subject site. That recommendation generally includes 2-4 story mixed-use buildings with a maximum recommended density of 40 du/ac. The Monroe Street Commercial District Plan (2007) recommends a mixture of commercial, retail and residential uses for the block and refers to this block as an opportunity for the City to create a 'gateway' to Monroe Street and the Monroe Street Shopping District. The plan also recommends two-to-four story building heights for the block with the 3rd and/or 4th levels set back from the front facade line. Buildings are further recommended to be built out to the sidewalk along both Monroe Street and Oakland Avenue.

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.

Zoning Summary: The project site is currently zoned Traditional Shopping Street (TSS). A detailed zoning table was not provided with the comments from the Zoning Administrator.

Project History

On May 23, 2016, the Plan Commission approved two demolition permits and multiple conditional use requests for a five-story mixed-use building with 48 dwelling units and approximately 5,000 square feet of ground floor commercial space at the subject property. Specific conditional uses included: 1) mixed-use building with more than 24 dwelling units; 2) building height exceeding the maximum district height; 3) mixed-use building exceeding 25,000 square feet in floor area; and 4) mixed-use building where less than 75% of ground floor area is non-residential. More information can be viewed online under Legislative File [42565](#).

On January 9, 2017, the Plan Commission approved a modification to those plans. This included the removal of the fifth story, removal of one level of under-building parking and façade alterations. In total, that approval allowed for a 44-unit building with 5,300 square feet of ground floor commercial space. Materials for that approval can be viewed online under Legislative File [45249](#).

As a related approval, upon recommendation of the Plan Commission, the Common Council approved a Zoning Text amendment for the TSS (Traditional Shopping Street) Zoning District to allow under-building vehicle access sales and service windows as a conditional use. Information on that text amendment can be viewed online under Legislative File [45556](#).

Project Description

The applicant proposes to establish a vehicle access sales and service (“drive-thru”) window in an approved (but not yet constructed) mixed-use building. The proposed facility would serve a bank tenant.

The drive-thru facility is proposed within the under-building parking level and would be accessed from Oakland Avenue. The submitted plans before the Plan Commission show a single drive lane with a combination drive-thru teller and ATM. Traffic would then exit towards the alley and is intended to be directed back to Oakland Avenue, which is a south-bound one way street at this location. Plans show that there will be 10 “public use/shared” parking stalls within this area. This includes a combination of perpendicular and angled stalls. That is a reduction of 6 parking stalls compared to the existing approved plans. Other tenant parking is available, but is separated by an automatic overhead door.

Staff notes that the applicant has been discussing revised “drive-thru” concepts with Traffic Engineering staff. The revised concepts include providing a second ATM/ITM (Interactive Teller Machines) facility. At the time of report writing, Planning Division staff understands that while multiple options have been discussed, consensus has not been reached between the applicant and Traffic Engineering on a final alternative.

The applicant’s letter of intent also references a parking stall reduction. Based on the Assistant Zoning Administrator’s review, the current proposed level of parking reduction is below the threshold requiring Plan Commission review and can be reviewed administratively by the Zoning Administrator.

Analysis and Conclusion

This request is subject to the approval standards for Conditional Uses. The Zoning Code states that the Plan Commission shall not approve a Conditional Use without due consideration of the City’s adopted plans and finding that all of the Conditional Use standards of §28.183(6) MGO are met.

This is the first drive-thru facility proposed in the TSS Zoning District, which was recently amended to allow them as a conditional use. A new supplemental regulation was added stating that “In the TSS District, vehicle access sales and service windows shall be located under the building in which it is located, and the building shall have commercial or residential uses along the primary street frontage.” The proposed design meets this requirement and staff notes that proposed drive-thru facility does not impact the Monroe Street facade and results in only minor façade modifications along Oakland Avenue.

However, at the time of report writing, the Planning Division is aware that City Traffic Engineering is requesting several design modifications be considered. Their major/non-standard comments include:

- The applicant shall work with Traffic Engineering on installing any reasonable measure to ensure vehicular and pedestrian safety is maintained. This may include reversing traffic so all vehicles enter off the alley and exit onto Oakland Avenue.

- The applicant shall work with Traffic Engineering to see the feasibility retuning the stalls to a perpendicular configuration with the ATM kiosk adjacent the stall. This configuration will maintain two-way operation thus limiting the requirement to use the alley and may have the added benefit of creating additional parking.

The applicant's attorney has indicated that they don't object to these recommended conditions, but Planning Division staff notes that the implementation of these conditions could result in different, perhaps substantially different, design elements compared to what is presented in this application for approval. Further, the applicant's desire to seek a second ATM/ITM station also impacts internal circulation compared to the initial submittal. As a reference, the applicant's studies showing the expanded drive-thru options are provided.

The development team has indicated to the Planning Division that they did not wish to seek a Plan Commission referral at this time. They have stated to Planning Division staff they believe they are close to being able to resolve these issues and seek the Plan Commission's input on whether the drive-thru is okay in concept with further details to be approved by staff. City Traffic Engineering staff will be present at the Plan Commission meeting to answer questions.

In order to approve the request, the Plan Commission must find the Conditional Use standards met, including Conditional Use Standard 5 which states:

Standard 5. Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit and other necessary site improvements have been or are being provided.

Considering that some key design details are not yet resolved between the developer and City Traffic Engineering, the Planning Division believes it is difficult to find that the standards are met at this time. However, based on public hearing input or further discussions prior to the meeting, additional information may be presented which may allow for a more definitive finding to be made.

The addition of a new drive-thru in the TSS zoning represents an important land use decision. The Planning Division believes that from an aesthetic standpoint, this development is successful in minimizing the appearance of the drive-thru. From a parking standpoint, on-site parking stalls will be lost, though the actual number depends upon the final approved design. The final design will impact not only internal circulation, but possibly traffic impacts upon the adjoining alley and streets.

At the time of report writing, staff is aware that neighborhood meetings have been held, but the Planning Division has not received any written comments.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, (608) 267-1150)

The Planning Division recommends that this item be referred to the Plan Commission meeting of April 24 to allow the applicant time to work with City Traffic Engineering to address their concerns on the current and/or revised proposal. In the alternative, should the Plan Commission be able to find the standards are met, this item should be approved subject to the input at the public hearing and the comments and conditions recommended by reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Kevin Firchow, (608) 267-1150)

1. That unless otherwise specified by the Plan Commission, this approval includes the single drive-thru teller and ATM as presented on the original plans dated 2-22-2017 and alterations necessary to meet the approval conditions. Other modifications to this request, including revised plans and the addition of a second ATM/ITM facility may be approved as a minor alteration upon recommendation by the District Alder and approval by the City Traffic Engineer.

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

2. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
3. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the 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) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
 - k) Private on-site storm sewer utilities (including all connections to public storm)All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

4. The construction of this project will require that the applicant shall execute and addendum to the existing City / Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the addendum executed by the developer. Obtaining an addendum to the developer's agreement generally takes approximately 4-6 weeks, minimum. (MGO 16.23(9)c)

5. The approval of this zoning approval does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer.. (MGO 16.23(9)(d)(6))
6. The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances.
7. The City Engineer shall approve the grade of the entrances prior to signing off on this development. (POLICY)
8. 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)
9. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5)
10. All damage to the pavement on Monroe St & Oakland Ave, 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)
11. Applicant shall update the existing project erosion control and stormwater management plans and permits as required by the City Engineer for the proposed alterations.
12. The Applicant shall Construct Public Improvements (Sidewalk, Alley, Curb) to a plan as required by the City Engineer.
13. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroster@cityofmadison.com (West). 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) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Stormwater Management Facilities

k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

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

14. The applicant shall work with Traffic Engineering on installing any reasonable measure to ensure vehicular and pedestrian safety is maintained. This may include reversing traffic so all vehicles enter off the alley and exit onto Oakland Avenue.
15. The applicant shall work with Traffic Engineering to see the feasibility retuning the stalls to a perpendicular configuration with the ATM kiosk adjacent the stall. This configuration will maintain two-way operation thus limiting the requirement to use the alley and may have the added benefit of creating additional parking.

16. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
17. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

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

18. Moped parking is not required. However, three (3) moped spaces may be substituted for one (1) required automobile parking space. Where provided, moped parking shall meet the standards in Sub. 28.141(12). 12 moped parking spaces are proposed for a substitution of four (4) automobile parking spaces.
19. A vehicle parking reduction of twenty (20) stalls, including a 4 stall moped substitution, will be required per Section 28.141(5). Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces.
20. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required amount, type and number of automobile and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses. Note that a parking stall reduction of more than 20 spaces and 25% or more of the required parking requires conditional use approval.

21. The proposed mixed-use development is currently going through final City Agency site plan verification review.

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

22. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Parks Division (Contact Janet Schmidt, (608) 261-9688)

The agency reviewed this request and has recommended no conditions or approval.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

The agency reviewed this request and has recommended no conditions or approval.

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

The agency reviewed this request and has recommended no conditions or approval