

PLANNING DIVISION STAFF REPORT

January 8, 2023



PREPARED FOR THE PLAN COMMISSION

Project Address: 1738 Roth Street (District 12, Alder Latimer Burriss)
Legistar File ID #: [81076](#)
Prepared By: Lisa McNabola, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Property Owner: Marykay Wills; Dane County Department of Human Services; 1202 Northport Drive, Madison, WI 53704

Requested Action: Consideration of a conditional use in the Commercial Corridor - Transitional (CC-T) District for a mission house at an existing residential building at 1738 Roth Street.

Proposal Summary: The applicant proposes to convert an existing residential building into a mission house.

Applicable Regulations & Standards: Standards for conditional uses are found in MGO Section 28.183(6). Supplemental Regulations for mission houses are found in MGO Section 28.151.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and **approve** the request for a mission house at 1738 Roth Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 10,050 square-foot (.23-acre) parcel is located along Roth Street between North Sherman Avenue and Ruskin Street. It is located within District 12 (Alder Latimer Burriss) and the Madison Metropolitan School District.

Existing Conditions and Land Use: Per data from the Assessor's Office the subject site is occupied by a 2.5-story, 2,727 square-foot residential building with nine bedrooms. The site is zoned Commercial Corridor - Transitional (CC-T) District.

Surrounding Land Use and Zoning:

North: Northgate Shopping Center, zoned Commercial Corridor - Transitional (CC-T) District;

East: Robert L. Beilman House (multifamily building), zoned CC-T District; across Ruskin Street, single family residential and personal storage facility, zoned Traditional Residential – Urban 1 (TR-U1) District; commercial buildings, zoned CC-T District;

South: Across Roth Street, one-story commercial buildings, zoned CC-T District; open space, zoned Conservancy (CN) District; and

West: Across North Sherman Avenue, one-story commercial buildings, auto repair garage, zoned CC-T District; three-story senior housing building, zoned Planned Development (PD) District.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Community Mixed-Use (CMU) development for the subject property and surrounding properties. The [Oscar Mayer Special Area Plan](#) (2020) recommends Medium Residential (MR) for the subject property, and properties to the east. The [Emerson East Eken Park Yahara Neighborhood Plan](#) (2015) recommends Community Mixed-Use for the subject property and surrounding properties. The [Northport Warner Park Sherman Neighborhood Plan](#) (2009) recommends Commercial Mixed-Use for the subject property and surrounding properties. Per the [Comprehensive Plan](#), if an inconsistency is identified between the [Comprehensive Plan](#) and a reasonably contemporary sub-area plan, substantial weight should be given to the sub-area plan.

Zoning Summary: The property is zoned Commercial Corridor - Transitional (CC-T) District.

Requirements	Required	Proposed
Front Yard Setback	0' or 5'	52.2' existing front
Max. Front Yard Setback	25'	52.2' existing front
Side Yard Setback (for exclusive residential use)	10'	14.3' existing east side 15.7' existing west side
Rear Yard Setback	The lesser of 20% of lot depth or 20'	50.4' existing rear
Usable Open Space	40 sq. ft./ d.u.	Adequate
Maximum Lot Coverage	85%	<85%
Maximum Building Height	5 stories/ 78'	3 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	None
Electric Vehicle Stalls	Not required	None
Accessible Stalls	Not required	None
Loading	Not required	None
Number Bike Parking Stalls	Mission House: 1 per 400 sq. ft. floor area (9)	None (2)
Landscaping and Screening	Not required	Existing landscaping (3)
Lighting	Not required	None
Building Form and Design	Not required	Existing building (4)(5)

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

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

Project Description, Analysis, and Conclusion

The applicant proposes to convert an existing residential building into a mission house. A mission house is a facility operated by a religious institution or nonprofit organization that provides lodging, and may also include the provision of meals, worship services, or other supportive services. The Dane County Department of Human Services will operate a “transitional living program” for individuals aged 18-21 with a maximum housing period of 2 years. They expect to have a maximum of seven residents, which would include one resident mentor who provides support to residents and helps manage day-to-day operations. The program will offer supportive services to help residents with securing sustainable funds for permanent housing, employment readiness and supports, financial education and literacy, teaching and practicing of renter etiquette, housing navigation (as needed), learning to foster healthy relationships, understanding and managing health care resources, increasing daily living skills, transportation support, assistance obtaining benefits (as needed), fostering positive activities, and connection to Behavioral

Health programs (as needed). The program would start in March 2024. Per the applicant, the building has previously been used for a transitional living program. They are not proposing any interior or exterior alterations at this time, although interior improvements have been recently completed.

The [Comprehensive Plan](#) (2018) recommends Community Mixed-Use (CMU) development for the subject property and surrounding properties. The Community Mixed-Use (CMU) category includes existing and planned areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. The [Oscar Mayer Special Area Plan](#) (20220) recommends Medium Residential (MR) for the subject property, and properties to the east. Medium Residential areas may include a variety of relatively intense housing types, including rowhouses, small multifamily buildings, and large multifamily buildings. Per the Comprehensive Plan, if an inconsistency is identified between the Comprehensive Plan and a reasonably contemporary sub-area plan, substantial weight should be given to the sub-area plan.

The conditional use approval standards state that the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all the conditional use standards of MGO Section 28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Per MGO Section 28.151, a mission house is subject to the following Supplemental Regulations: (a) The use shall be operated by a religious institution or a non-profit organization; (b) The yard requirements for multi-family use in the district apply; (c) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood; (d) The owner shall submit a Management Plan for the facility: 1. Required management plan contents: floor plan showing sleeping areas, emergency exits and bathrooms. 2. Recommended management plan contents: parking, bicycle parking, storage of belongings, trash storage/removal, transportation support and; (e) In the CC and CC-T District, mission house is a permitted use if it is funded by the City of Madison and if the operator has an executed contract for service delivery with the City of Madison.

Staff believe the conditional use standards can be found met subject to the recommended conditions of approval.

Recommendation

Planning Division Recommendation (Contact Lisa McNabola, 243-0554)

The Planning Division recommends that the Plan Commission find the approval standards for conditional uses are met and **approve** the request for a mission house at 1738 Roth Street. All recommendations are subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Zoning (Contact Jenny Kirchgatter, 266-4429)

1. Submit a Management Plan for the mission house facility:
 - a) Required management plan contents: floor plan showing sleeping areas, emergency exits and bathrooms.
 - b) Recommended management plan contents: parking, bicycle parking, storage of belongings, trash storage/removal, transportation support.

2. Bicycle parking for the Transitional Living Program (mission house) shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of nine (9) bicycle parking stalls. Up to twenty-five percent (25%) of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is a five (5) foot access aisle for wall mount parking. NOTE: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
3. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building. Note that City issued trash containers are not required to be screened.
4. Submit a basement level floor plan.
5. Verify whether exterior building alterations or repairs are proposed.
6. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

Fire Department (Matt Hamilton, 266-4457)

7. Document that maintenance has been performed on the fire escape and that it has a clear path to grade without jump platforms.

Forestry Section (Contact Jeffrey Heinecke, 266-4890)

8. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.

Metro Transit (Contact Timothy Sobota, 261-4289)

9. Metro Transit operates daily all-day transit service along North Sherman Avenue near this property – with trips at least every 60 minutes (every 30 minutes or less on weekdays).
10. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 32 Weekday & 18 Weekend (average). Please contact Metro Transit if additional analysis would be of interest

City Engineering Division – Mapping Section (Contact Jeffrey Quamme, 266-4097)

11. The site plan notes an old driveway crossing adjacent lands that is no longer in place. Modify the site plan to reflect the current condition.

The following agencies reviewed the request and recommended no conditions of approval: Traffic Engineering, Parks Division, Water Utility, Parking Utility, Engineering Division