

ADDENDUM
PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
January 23, 2009

RE: I.D. #11930, Conditional Use Permit – 5206 Siggelkow Road

1. Requested Action: Approval of a conditional use permit to expand an existing day care facility at 5206 Siggelkow Road in R2 (Single-Family Residence District) zoning. Driveway and surface parking lot are in R2S (Single-Family Residence District).
2. Applicable Regulations: Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Day care centers in R2 zoning are governed by Section 28.08 (3)(c).
3. Report Prepared By: Heather Stouder, AICP, Planner

PREVIOUS ACTIONS:

On September 15, 2008, the Plan Commission referred this request with the understanding that the applicant would meet with the Alder and concerned neighbors to discuss the proposal and address concerns, in particular related to toys being thrown over the rear fence onto adjacent residential properties to the north.

ANALYSIS AND CONCLUSION:

On January 8, 2009, the applicant and Alder held a neighborhood meeting to discuss the project. One neighbor attended the meeting, and the applicant indicated that the neighbor had no objections to the plans.

Minor changes to the site plan since it was last presented to the Plan Commission include an adjustment to the additions to the shed based on staff recommendations and a reorientation of the outdoor play area. The play area has been reduced in size of the play area by 22% from 3,575 square feet to 2,779 square feet. As shown on revised plans, the northern portion of the lot will be enclosed with a fence and planted with five blue spruce trees to serve as an additional visual and noise barrier, and also to prevent toys being thrown over the fence into properties to the north. The sandbox has been relocated to the east side of the play area. Aside from the five spruce trees proposed, the applicant indicates that all other landscaping shown in previously submitted plans exists on the site and would remain in its current condition.

Planning Division staff believe that the additional buffering of the northern portion of the property will sufficiently address the concerns of property owners to the north, with the obvious tradeoff being a decrease in usable play area for the increasing number of children. The applicant play area still exceeds state requirements when accounting for the increased capacity of the facility. HFS 46.06(11) requires at least 75 square feet for each child 2 years or older using the space, and a requirement that at least 1/3 of the children in a facility can be outside at any

given time. With a capacity of 76 children, this would require 1,900 square feet, and 2,779 square feet is proposed.

As shown in revised plans, the existing fence on the north perimeter of the property now serves no clear purpose, and may not allow sufficient space for the proposed blue spruce trees once they are fully grown. Planning Division staff recommend the removal of the existing fence.

Finally, Planning Division staff recommend the relocation of the sandbox to the west, rather than the east, side of the play area in order to minimize negative effects on adjacent properties.

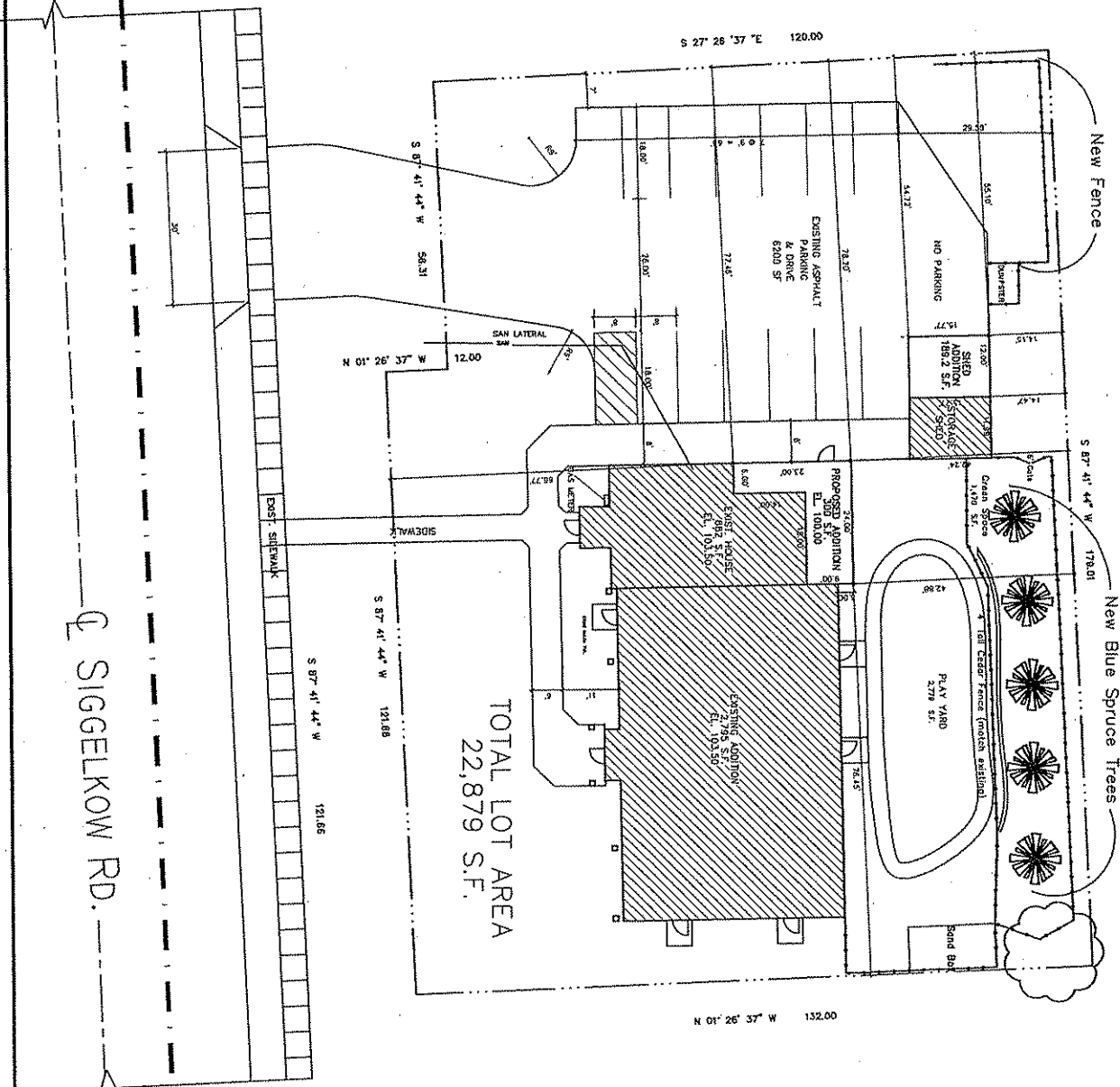
RECOMMENDATION:

Consistent with the recommendation in the September 12, 2008 Planning Division staff report, the Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use for expansion of the day care facility subject to input at the public hearing and the following conditions, which have been slightly modified to reflect revisions:

1. Comments from reviewing agencies.
2. The final plan set shall reflect the removal of the existing fence along the northern property line, and a relocation of the sandbox to the western portion of the play area.
3. The final plan set shall include elevations of the existing and proposed storage shed and dumpster enclosure to be approved by Planning Division staff.
4. The final plan set shall include a note identifying all exterior materials to be approved by Planning Division staff. Exterior materials on the proposed addition will complement the original building and the addition approved in 2004.
5. The final plan set shall include a complete landscape plan identifying the species and size of plantings, both existing and proposed, to be approved by Planning Division staff.
6. The parking lot will retain a clear turnaround for vehicles by eliminating the parking stall shown in the northwestern portion of the lot and marking the space clearly with a "No Parking" sign.
7. The maximum capacity for the facility will be 76 children.
8. As previously approved, the term of the conditional use approval be limited to a period not to exceed five (5) years from October 24, 2005, the date that a Certificate of Occupancy was issued by the Inspections Division for the day care facility. In fall 2010, the conditional use may be renewed/extended for an additional period after review as either a major alteration or minor alteration as determined by the Zoning Administrator and the Director of the Department of Planning and Development. Review of the conditional use at that time shall ensure consistency with conditions of approval in 2004 as well as any additional conditions of approval by the Plan Commission with regard to this present application.

REVISED PLAN SUBMITTED 1/16/09

NORTH



TOTAL LOT AREA
22,879 S.F.

SIGELKOW RD.

CITY OF MADISON
VILLAGE OF MARLBAND

SITE DEVELOPMENT PLAN
SCALE: 1"=10'

ASRA'S FAMILY - CHILDCARE CENTER, LLC.
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