



PREPARED FOR THE PLAN COMMISSION

Project Address: 303 Lathrop Street (5th Aldermanic District – Ald. Bidar-Sielaff)

Application Type: Conditional Use

Legistar File ID #: [52907](#)

Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Larry Barton; Strang, Inc.; 6411 Mineral Point Road; Madison, WI 53705

Contact: Jeff Connelly; Strang, Inc.; 6411 Mineral Point Road; Madison, WI 53705

Property Owner: First Congregational United Church of Christ (Eldonna Hazen); 1609 University Avenue; Madison WI 53726

Requested Action: Approval of a Conditional Use to convert a former daycare center into a mission house in the University Heights Historic District at 303 Lathrop Street.

Proposal Summary: The applicant proposes to convert a former, roughly 3,650-square-foot, daycare center into a mission house. This mission house is considered a principal use rather than an accessory use due to the fact that it will be operated not by the First Congregational United Church of Christ (which is located at the northern end of the subject site and owns the structure in question), but instead by a non-profit organization, Madison Urban Ministry. The proposed changes will consist solely of interior remodeling, save for the addition of bicycle parking and designation of more handicap parking with signage.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses [MGO §28.183(6)], as Table 28C-1 in §28.032(1) of the Zoning Code states that Mission Houses in the Traditional Residential - Urban 1 (TR-U1) District require conditional use approval. The Supplemental Regulations [MGO §28.151] contain further regulations for this type of use.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow the conversion of a former daycare center into a mission house in the University Heights Historic District at 303 Lathrop Street. This recommendation is subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: The 43,390-square-foot (1.0-acre), "L"-shaped, subject property is located on the southern side of University Avenue, spanning from Lathrop Street to N. Breeze Terrace. It is located within Aldermanic District 5 (Ald. Bidar-Sielaff); the University Heights Historic District; and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site currently contains the First Congregational United Church of Christ, located on the northern half of the subject site. The existing, roughly 3,650-square-foot, two-story structure, which is proposed to become a mission house, sits in the southern half of the site and is owned by the Church. According to the applicant, it has been vacant for the past few years but previously, it was used as a daycare facility. There are currently 24 automobile parking stalls on site (one of which is accessible) – 10 are located to the north of the proposed mission house (between it and the church) and 14 located are to the south. A fenced-in playground is located to the east of the mission house. While the proposed mission house is addressed as 303 Lathrop Street, the Church is addressed as 1609 University Avenue. The property is zoned Traditional Residential - Urban 1 (TR-U1) District.

Surrounding Land Use and Zoning:

North: Across University Avenue is a UW Madison building used by the Department of Naval Science in the Campus-Institutional (CI) Zoning District;

South: 2-, 3-, and 4-unit residences in the Traditional Residential – Urban 1 (TR-U1) Zoning District as well as single-family residences in the Traditional Residential – Consistent 2 (TR-C2) Zoning District;

East: The Engineering Centers Building in the CI Zoning District; and single-family residences in the TR-C2 Zoning District; and

West: Across Lathrop Street are single-family residences in the Traditional Residential – Urban 1 (TR-U1) and Traditional Residential – Consistent 3 (TR-C3) Zoning Districts.

Adopted Land Use Plan: The Comprehensive Plan (2018) recommends medium-density residential (MDR) uses for the subject parcel, defined as 16-40 dwelling units per acre. The University Avenue Corridor Plan (2014) does not provide specific recommendations for the subject parcel. It does however identify the subject site as located within its “Area 5 South Side” subarea for which it recommends, *“In keeping with the historic nature of the area, the south side should be preserved as medium density, small-scale, multifamily residential buildings. The buildings in this area contribute to the character of the historic district, so any building in good condition should be maintained and reused rather than replaced.”*

Zoning Summary: The property is in the Traditional Residential – Urban 1 (TR-U1) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	43,390 sq. ft.
Lot Width	50'	More than 50'
Front Yard Setback	15' or average	Existing front yard
Max Front Yard Setback	30' or up to 20% greater than block average	
Side Yard Setback	10'	Existing side yard
Reverse Corner Side Yard Setback	12'	Existing side yard
Rear Yard Setback	Lesser of 25% lot depth or 25'	Existing rear yard
Maximum Lot Coverage	70%	Existing lot coverage
Maximum Building Coverage	50%	Existing building coverage
Maximum Building Height	40'	2 stories existing building

Site Design	Required	Proposed
Number Parking Stalls	Mission house (see place of worship): 1 per 10 seats or 15 lineal feet of seating area in the main worship space. If no fixed seats, 1 per 70 sq. ft. of floor area in main worship space (8)	13
Accessible Stalls	Yes	2
Loading	Not required	None
Number Bike Parking Stalls	Mission house: 1 per 400 sq. ft. floor area (6)	6
Landscaping	Not required	Existing landscaping
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building

Other Critical Zoning Items	Historic District (University Heights), Utility Easements, Barrier Free (ILHR 69)
------------------------------------	---

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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. Metro access is located immediately adjacent to the site, along University Avenue and N. Breeze Terrace.

Project Description, Analysis, and Conclusion

The applicant proposes to convert a former, roughly 3,650-square-foot, daycare center into a mission house. This request is subject to the standards for conditional uses [MGO §28.183(6)], as Table 28C-1 in §28.032(1) of the Zoning Code states that Mission Houses in the Traditional Residential - Urban 1 (TR-U1) District require conditional use approval. The Supplemental Regulations [MGO §28.151] contain further regulations for this type of use. Note, the proposed mission house is considered a principal use rather than an accessory use due to the fact that it will be operated not by the First Congregational United Church of Christ (which is located at the northern end of the subject site and owns the structure in question), but instead by a non-profit organization, Madison Urban Ministry.

The structure is proposing to convert a currently-vacant, two-story structure (with basement) into a mission house with the purpose of providing a non-profit respite care facility for the homeless that have been discharged from the hospital after surgery, etc. and need additional care before going back into the community. It will be officially named *Healing House*.

The applicant has also provided a management plan, which establishes the operation policies for the facility. The Healing House will provide temporary accommodations to a maximum of five individuals at one time, for up to 28 days at a time (though average stays are anticipated from two to three weeks in duration). Admittance to the house will be scheduled prior to discharge from the local hospital; and there will be no drop-ins from off the street. The visiting hours to the house will be from 8:00 am to 5:00 pm, seven days a week. Each bedroom will have a closet and there will be additional lockable storage lockers in the basement if needed. Regarding food preparation, one hot meal will be catered for the residents each day while the other meals will be cooked on site in the kitchen by the residents themselves.

The management plan also lays out the staffing, which will consist of the following: Program Coordinator (registered nurse), part-time case manager, Resident Assistants who will be CNAs. At all times (i.e. 24/7) there will be at least one full time staff member on site. The house will also utilize volunteers to assist in staffing between the hours of 8:00 am and 8:00 pm. A paid certified staff member will always be on hand in the house while volunteers are present.

Regarding transportation, numerous Metro bus routes use the stops located immediately adjacent to the site near the intersection of University Avenue and N. Breese Terrace. MMSD will provide cab rides to and from school for school age children. All car drop-offs will occur in the southern parking lot and likely use the accessible entry located at the southeast corner of the ground floor. This parking lot, which is for use solely by the Healing House, currently has 14 automobile parking stalls. This number will be reduced by one in order to add two accessible stalls (to meet the Zoning Code requirement). Six bicycle stalls will also be added at the northeastern corner of this lot. These are the only two changes proposed to the site. Note: the northern parking lot, which has 10 automobile parking stalls (one accessible) and 10 bicycle stalls is for use only by church and daycare patrons only. The fenced-in playground to the east of the house is currently for use only by the daycare children, though the applicant notes that it may be used by any appropriately aged residents of the Healing house when otherwise not in use.

The proposed changes to the building will consist solely of interior remodeling. Several of the internal walls will be removed and others added in order to repartition the space to meet the needs of the proposed use. Sprinklers will also be added per the Building Code. The applicant has noted that they have already been issued a Certificate of Appropriateness (CoA) from the Landmarks Commission for any future re-roofing of the house and refinishing of the existing front entry door. (A copy of the letter has been included in the submittal materials). As for site changes, the only changes proposed are the aforementioned restriping of the parking lot to add two accessible stalls and the addition of the six bicycle stalls.

In considering the adopted plan recommendation, the Planning Division believes that the proposed use is consistent with the [Comprehensive Plan](#) (2018) as well as the [University Avenue Corridor Plan \(2014\)](#). The [Comprehensive Plan](#) recommends medium-density residential (MDR) uses for the subject parcel, defined as less than 16-40 dwelling units per acre. Given the large lot, the proposed density would be just five dwelling units per acre. The [University Avenue Corridor Plan \(2014\)](#) does not provide specific recommendations for the subject parcel. It does however identify the subject site as part of its "Area 5 South Side" subarea for which it recommends, *"In keeping with the historic nature of the area, the south side should be preserved as medium density, small-scale, multifamily residential buildings. The buildings in this area contribute to the character of the historic district, so any building in good condition should be maintained and reused rather than replaced."* Staff believe the proposed use is completely consistent given it being a small-scale, multi-family residential building which has been repurposed from its former use.

Based on the provided information, the Planning Division believes the conditional use standards can be found met. Staff believe that if well-managed, the proposed mission house should not result in significant negative impacts to the surrounding properties. Factors such as the limited scale and occupancy of the facility; the ample supply of storage space for residents within the facility; the intake policy which restricts drop-ins; the limited visiting hours; the adequate on-site automobile as well as bicycle parking; adjacent access to numerous Metro routes; and the proposed conditions of approval will help mitigate anticipated impacts. Staff also notes that if approved, the Plan Commission retains continuing jurisdiction over this conditional use, meaning that should complaints be filed, the Plan Commission could take further action on this conditional use as allowed in MGO Section 28.183(9)(d).

Staff also believe the proposal satisfies the Supplemental Regulations for this use (please see the Attachment #1 located at the end of this staff report for a list of the regulations). In regards to screening, Staff are not aware of concerns regarding the need for additional screening.

Regarding public feedback, Staff received a note from Ald. Bidar-Sielaff expressing support for the project with staff recommendations. Otherwise, at the time of report writing, Staff is not aware of any concerns on this request.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests to allow the conversion of a former daycare center into a mission a house in the University Heights Historic District at 303 Lathrop Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

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

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

City Engineering Division - Mapping (Contact Jeffrey Quamme, (608) 266-4097)

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

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

1. 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.
2. 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.

3. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
4. All parking facility design shall conform to MGO standards, as set in Section 10.08(6).
5. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.
6. The applicant shall remove all reference to private interest amenities in the public Right-of-Way as they are not approvable through the Site Plan Review process. The applicant shall be allowed to add an additional page clearly marked 'for informational purposes only, not for construction, if approved the final configuration may be altered from what is shown.' If the applicant would like to pursue installation of amnesties in the public Right-of-Way they shall apply for an encroachment agreement through City Real Estate which shall be routed for approval to all required agencies.
7. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
8. Include a parking plan demonstrating how specific stalls, to be used by the commercial site, will be reserved. Include any signage to be used to achieve this goal in the submitted plans. If this development has an existing cross access agreement or is planning on obtaining one, provide documentation.
9. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). If applicant believes public safety can be maintained they shall apply for a waiver of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the waiver shall be the determination of the City Traffic Engineer.
10. Note: This site has the potential to create pedestrian loading/unloading activity as well as circulation issues on the surrounding streets, Traffic Engineering has limited solutions to remedy this potential activity.

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

11. 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.

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

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

Parks/Forestry Review (Contact Sarah Lerner, (608) 261-4281)

12. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

13. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

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

- | |
|--|
| <ol style="list-style-type: none">14. The proposed development mentions the installation/operation of a fire protection and/or automatic sprinkler system; subsequently, a higher capacity water service lateral may be required to meet required flow rates (existing lateral is 1-IN diameter). If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions. |
|--|

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

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

ATTACHMENT #1: SUPPLIMENTAL REGULATIONS FOR MISSION HOUSES (AS PRINCIPAL USES)
(MGO §28.151)

Mission House (Principal Use)

- 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.