



PLANNING DIVISION STAFF REPORT

November 9, 2020

PREPARED FOR THE PLAN COMMISSION

Project Address: 1701 McKenna Boulevard (20th Aldermanic District – Ald. Albouras)
Application Type: Conditional Use
Legistar File ID #: [62309](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Alex Von Osten; Tredo Group, LLC; 219 N Milwaukee Street, Suite 630; Milwaukee, WI 53202

Property Owner: Our Redeemer Lutheran Church; 1701 McKenna Boulevard; Madison, WI 53711

Requested Action: Approval of an alteration to an existing conditional use to allow the construction of an addition to a building or structure with a floor area exceeding 10,000 square-feet in floor area in the Suburban Residential – Consistent 1 (SR-C1) Zoning District at 1701 McKenna Boulevard.

Proposal Summary: The applicant proposes to expand the school facilities at an existing place of worship, which include a gymnasium and additional early childhood classrooms. Combined, the additions will result in an additional 11,600 square-feet of building space.

Applicable Regulations & Standards: This proposal is subject to the Conditional Use Approval Standards [MGO §28.183(6)].

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 request to allow the construction of an addition to a building or structure exceeding 10,000 square-feet for floor area in the Suburban Residential – Consistent 1 (SR-C1) Zoning District at 1701 McKenna Boulevard. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 255,689 square-foot (approximately 5.87 acre) subject site is located on the east side of McKenna Boulevard between Park Heights Court and Brittany Place. It is located within Aldermanic District 20 (Ald. Albouras) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The property is currently developed with a Church and school facilities (early childhood through eighth grade).

Surrounding Land Use and Zoning:

- North:** Multi-family residential building complex, zoned Suburban Residential – Varied 2 (SR-V2) and single-family residences, zoned Suburban Residential – Consistent 1 (SR-C1);
- East:** Single-family residences, zoned SR-C1;
- South:** Two-family residences, zoned Suburban Residential – Consistent 2 (SR-C2) and a 20-unit apartment building, zoned SR-V2; and
- West:** Elver Park, zoned Agricultural (A) and the Madison Police Department West District Station and Madison Fire Station #7, zoned SR-C1.

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Low Residential (LR) uses for the subject property. The [Southwest Neighborhood Plan \(2008\)](#), follows the recommendations in the [2006 Comprehensive Plan](#), which also calls for Low Density Residential uses.

Zoning Summary: The property is zoned Suburban Residential - Consistent 1 (SR-C1).

Requirements	Required	Proposed
Lot Area (sq. ft.)	8,000 sq. ft.	255,689 sq. ft.
Lot Width	60'	630.84'
Front Yard Setback	30'	163.4'
Side Yard Setback	One-story: 6'	130.9'
Rear Yard Setback	Equal to building height but at least 35'	Adequate
Maximum Lot Coverage	60%	Less than 60%
Maximum Building Coverage	50%	Less than 50%
Minimum Building Height	35'	Existing building height

Site Design	Required	Proposed
Number of Parking Stalls	<p>Place of worship: Minimum 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 (26) Maximum is 150% of minimum (39)</p> <p>Schools, public and private: Minimum 1 space per classroom (6) plus 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time (0) Maximum 1 space per classroom (6) plus 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one time (0)</p>	102 (20)

	Daycare center nursery school: Minimum 1 per 15 clients (5) plus 1 per 2 employees (7) Maximum is 200% of minimum (24) (44 minimum total) (69 maximum total)	
Accessible Stalls	Yes	6
Loading	Not required	None
Number Bike Parking Stalls	Place of worship: 1 per 50 seats or 75 lineal feet of seating area or 1 per 350 feet of floor area in main worship space (5) Schools, public and private: 1 space per 5 students (22) Daycare center nursery school: 1 per 5 employees (3) (30 total)	13 (21)
Landscaping and Screening	Yes	Yes (22)(23)(24)(25)
Lighting	No	No (26)
Building Forms	Yes	Civic or institutional building

Other Critical Zoning Items:	Barrier Free (ILHR 69); Utility Easements
-------------------------------------	---

Table Prepared 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, with Madison Metro Routes 50 and 51 serving the site.

Project Description, Analysis, and Conclusion

The applicant proposes an 11,600 square-foot, two-story addition to an existing place of worship in order to expand the early childhood education program and add a gymnasium. The applicant plans on a larger expansion of the building in the future, with additional classrooms for grades 1 through 8, but that “Phase II” expansion is not before the Plan Commission at this time.

According to the submitted materials, the proposed two-story addition will be located on the northwest corner of the existing building. In regards to the building’s colors and materials, the applicant proposed a mix of neutral colored cement board panel and precast concrete, with brick masonry accents to match the existing building. In regards to site access and circulation, the applicant is not proposing any changes to the existing parking lots or site access point.

Conditional Use Standards

This proposal is subject to the Conditional Use Approval Standards [MGO §28.183(6)]. In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City’s adopted plan recommendations, design guidelines, and finding that all of the Conditional Use Standards of MGO §28.183(6) are met.

In regards to the adopted plans, the [Comprehensive Plan \(2018\)](#) recommends Low Residential (LR) uses for the subject property. The [Southwest Neighborhood Plan \(2008\)](#), follows the recommendations in the [2006 Comprehensive Plan](#), which also calls for Low Density Residential uses. The [Comprehensive Plan \(2018\)](#) states that a limited amount of nonresidential uses may also be located within residential land use categories, including elementary and middle schools, day care centers, and places of assembly and worship if at a scale compatible with other existing or planned uses. The Planning Division notes that the subject property is over five acres in size, which provides a green space buffer to surrounding residences.

The Planning Division believes that the Conditional Use Approval Standards can be found met with this request. Given the size of the subject property, staff does not believe that the proposed expansion will diminish the uses, values, and enjoyment of other property in the neighborhood nor will it impeded the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Furthermore, Approval Standard #5 states that, "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." At a neighborhood meeting on October 20, 2020, adjacent property owners voiced their concerns over recent flooding events and lack of stormwater controls on the subject site. The City's Engineering Division reviewed this request and included conditions of approval to ensure that this project meets all of the stormwater ordinance requirements. Therefore, the Planning Division believes that this standard can be found met.

Conclusion

Staff believes that the proposed addition to the existing church and school can be found to meet the Conditional Use Approval Standards and recommends that it be approved by the Plan Commission, subject to input at the public hearing and comments from reviewing agencies.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, sprusak@cityofmadison.com)

The Planning Division recommends that the Plan Commission find that the Conditional Use Standards are met and **approve** the alteration to an existing conditional use to allow the construction of an addition to a building or structure with a floor area exceeding 10,000 square-feet in floor area in the Suburban Residential – Consistent 1 (SR-C1) Zoning District at 1701 McKenna Boulevard. 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

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

1. Revise the site plan 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)
2. This development is subject to impact fees for the Upper Badger Mill Creek Stormwater Impact Fee District. All impact fees are due and payable at the time building permits are issued (MGO Ch 20). Add the following note on the face of the plans: LOTS / BUILDINGS WITHIN THIS DEVELOPMENT ARE SUBJECT TO IMPACT FEES

THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.

3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
4. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
5. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
6. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
7. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

8. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

Rate Control: Detain the 2, 10, 100 & 200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Volume Control: Provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

9. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
10. 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 ttroester@cityofmadison.com (West).

Engineering Division - Mapping Section (Contact Jeff Quamme, (608) 266-4097)

11. A portion of the public path along the north line of this site is beyond the limits of the existing Public Walkway Easement per Doc No 2453861. Owner shall grant additional Public Walkway Easement area to the City with an amendment to the existing Easement. Provide a map exhibit and legal description to Jeff Quamme (jrquamme@cityofmadison.com) of the existing easement and area to be amended. A Real Estate project will then be set up for the administration, drafting, execution and recording of the amended easement.

Traffic Engineering (Contact Sean Malloy, 266-5987)

12. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
13. 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.

14. 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.
15. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
16. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
17. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
18. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
19. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign 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.

Zoning (Contact Jenny Kirchgatter, (608) 166-4429)

20. The applicant proposes maintaining the existing number of vehicle parking stalls. Zoning lots and uses that exceed maximum parking requirements as of the effective date of this ordinance may continue to maintain existing parking but shall not increase that parking without conditional use approval.
21. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 30 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
22. Provide adequate interior parking lot landscaping per Section 28.142(6). For changes to a developed site, a minimum of five percent (5%) of the asphalt or concrete area shall be interior planting islands, peninsulas, or landscaped strips. A planting island shall be located at least every twelve (12) contiguous stalls with no break or alternatively, landscaped strips at least seven (7) feet wide between parking bays.
23. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
24. Show the trash enclosure area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. Such area 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.
25. Show the location of the existing or proposed playground areas on the civil plans.

26. Verify whether new parking lot or site lighting will be installed. New parking lot lighting must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. If exterior site lighting is provided, submit an exterior lighting plan and fixture cut sheets with the final plan submittal.
27. Future phased building additions will require separate City of Madison approvals.
28. 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.
29. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

30. The means of egress from the building shall extend and be maintained out to the public way. A couple of exits appear to end with concrete stoops which work in warm and relatively dry months. The owner shall remove snow to ensure a clear path is maintained at all times out to the public way. MFD RECOMMENDS a sidewalk be provided to facilitate ease of maintaining this path.

Forestry (Contact Wayne Buckley, (608) 266-4816)

31. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
32. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
33. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
34. Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.

35. Soil Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
36. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
37. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. 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.
38. City Forestry will issue a street tree removal permit for (X) tree(s) (dbh) diameter (variety) tree due to (reason) at (location). Add as a note on the plan set.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

39. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.