



Report to the Plan Commission

June 15, 2009

Legistar I.D. #15039
4226 Milwaukee Street
Conditional Use

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of a conditional use for a new dental office building in the C1 (Limited Commercial) District.

Applicable Regulations & Standards: Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses. Dental office buildings are conditional uses in the C1 (Limited Commercial District) per Section 28.09(2)(d)29. In all districts excluding most residential districts, new development within 200 feet of a City-owned public park requires approval a conditional use per Section 28.04(21).

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request subject to input at the public hearing and conditions from reviewing agencies.

Background Information

Applicant/Project Contact: Dave Craker, Keller Inc.; 1508 Three Wood Dr.; Mt. Horeb
Property Owner: Dr. Robb Warren; 4226 Milwaukee St.; Madison

Proposal: The applicant proposes a new 5,300 square foot dental office (the second of two dental office buildings on the lot) and expanded surface parking to serve both buildings.

Parcel Location: 4226 Milwaukee Street is a 46,752 square foot (1.07-acre) parcel located on the northwest corner of Milwaukee Street and Wittwer Road, across Wittwer Road from Hiestand Park; Aldermanic District 3 (Cnare); Madison Metropolitan School District.

Existing Conditions: The site is currently developed with a dental office building in the southeast portion of the lot and a surface parking lot with access from Wittwer Road.

Surrounding Land Use and Zoning:

North: Multifamily buildings in the R4 and R5 (General Residential) districts. 40 units in a collection of 9 buildings comprise the Meadowood Apartments closest to the site, and a 110-unit senior housing facility is located to the north. A 272-unit collection of multi-family buildings and the American Family Insurance Regional Office building in the PUD (Planned Unit Development) district are further to the north.

East: Hiestand Park, a 58-acre City of Madison Park in the A (Agriculture) district.

South: Across Milwaukee Street, single-family homes in the R1 (Single-family residential) district.

West: A one-story commercial office building, an animal hospital, and a convenience store with fuel sales in the C1 (Limited Commercial) district.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Neighborhood Mixed Use for the site. The Hiestand Neighborhood Plan (adopted October, 2006), has no specific recommendation for the site, but generally recommends retaining or attracting neighborhood-based or professional offices to the neighborhood west of Wittwer Road, noting that new buildings should blend in with the scale and mass of the neighborhood and be constructed with high-quality materials.

Environmental Corridor Status: This property is not located within a mapped environmental corridor, but is located across Wittwer Road from Hiestand Park.

Public Utilities and Services: This property is served by a full range of urban services, including peak and off-peak Metro Transit Routes.

Zoning Summary:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	46,740 sq. ft. (existing)
Lot width	50'	adequate
Usable open space	N/A	N/A
Front yard	0'	adequate
Side yards	0'	adequate
Rear yard	30'	adequate
Floor area ratio	N/A	N/A
Building height	3 story max.	1 story

Site Design		
No. Parking stalls	29	37-Patient, 8-Staff <i>(see comments 28 and 32, p. 7)</i>
Accessible stalls	2	4 <i>(see comments 28 and 32, p. 7)</i>
Loading	N/A	N/A
No. Bike Parking Stalls	5	18
Landscaping	Yes	Yes <i>(see comment 28, p. 7)</i>
Lighting	No	Yes <i>(see comment 30, p. 7)</i>

Other Critical Zoning Items		
Urban Design		No
Flood Plain		No
Utility Easements		No
Waterfront Development		No
Adjacent to Park		Yes
Barrier Free (ILHR 69)		Yes
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

Description of Proposal

Existing Conditions

The site is currently developed with an approximately 3,800 square foot, one-story building currently occupied by the property owner's dental office. The building is set back approximately 20 feet from the Milwaukee Street and Wittwer Road rights-of-way. A 20-stall surface parking lot with access from Wittwer Road is situated just north of the building, and a small shed sits just north of this lot.

The lot itself is uniquely shaped, with 175 feet frontage on Milwaukee Street, approximately 310 feet along Wittwer Road, and tapering to a point on the northern end of the lot. The lot slopes gradually downward from the north to the southeast. There are several significant conifers located near the western edge of the property, deciduous trees of various sizes located near the building, the parking lot, and in the northern portion of the property.

Site Plan

The proposal would maintain the existing building in its current location for a future tenant and incorporate a second, slightly larger building to the north in the center of the property for Dr. Robb Warren's dental practice. The existing surface parking lot would be replaced by two new surface parking lots, the larger of which is a curved lot between the two buildings with 37 parking stalls (including 4 accessible stalls). Bicycle parking is proposed in areas just north and south of the entrance

to this parking lot, near Wittwer Road. Space for a dumpster enclosure has been proposed as the southern terminus of this lot, backing onto Milwaukee Street.

A much smaller “staff parking” lot is proposed just north of the new building with eight stalls, and would require additional access off of Wittwer Road. A small brick storage shed and a second dumpster enclosure are proposed in a 10 foot by 25 foot area just west of the small parking lot. An additional bicycle parking area is proposed adjacent to the shed and the staff entrance to the new building.

Pedestrian access to the site is proposed at three locations; two new sidewalks from Wittwer Road bracket the main parking lot and lead to the main entrances of each building. As proposed, the northern sidewalk links to the sidewalk along Milwaukee Street, but the sidewalk closer to the existing building terminates a few feet short of the Milwaukee Street right-of-way.

Proposed Landscape Plan- The additional building and parking lot would necessitate the removal of approximately 18 trees, although a small stand of mature conifers on the western edge of the lot would remain. The landscape plan proposed includes a mix of shrubs surrounding the foundation of the proposed building, flanking the proposed dumpster enclosure at the southern edge of the property, and dispersed in small groups near the entrances to the parking lots. A few new small trees are proposed as well.

Proposed Building

The applicant has proposed a building type with two alternatives for consideration. Both alternatives have the same 5,300 square foot footprint, positioned parallel to Wittwer Road, approximately 7 to 10 feet from the right of way. The main level includes eight treatment rooms facing Wittwer Road, two reception areas, and associated lab, storage, and staff areas. The main entrance is located on the south side, oriented toward the larger parking lot, but accessible by sidewalk from Wittwer Road. A 616 square foot area to the north of the proposed building is noted for “future expansion”.

One alternative, “Alternative A” includes a 650 square foot second-story feature in the western portion of the building for the main dental office, a smaller two story feature at the location of the main entrance, and a 2,056 square foot finished space in the basement with a small pool, fitness room, locker rooms, and additional storage space. The second alternative, “Alternative B” omits the second story features and has 1,456 square feet of finished space in the basement, which includes the same amenities in smaller rooms.

The exterior of the proposed building blends with the design of the existing brick building on the lot, while utilizing an improved combination of high-quality materials including a stone veneer base, limestone accents, and modular brick. (EIFS is proposed for a small portion of the exterior on the second story feature on “Alternative A”, but not at all for “Alternative B”.) Materials on the hipped roof are unspecified on submitted plans, but are assumed to be asphalt shingles. The south elevation includes a significant window panel surrounded by a stone veneer. The west elevation includes a similar window panel, as well as a staff exit out to a proposed concrete patio. The north elevation includes a secondary entrance leading to the proposed staff parking lot. The eastern elevation includes a central feature with a stone veneer, and a bank of windows into the eight treatment rooms.

Evaluation and Conclusion

Consistency with Adopted Plans

The proposal is consistent with both the Comprehensive Plan and the Hiestand Neighborhood Plan, which recommend Neighborhood Mixed Use, and professional offices constructed with high-quality materials and of similar scale and mass as existing buildings in the neighborhood, respectively. The applicant met with the Alder and Neighborhood Association president prior to submitting application materials, and staff knows of no objections to the proposal at the time of this writing.

Site Plan and Building Review

Overall, staff believes that proposed building would be an attractive addition to the neighborhood, while complementing the existing office building on the corner of Wittwer Road and Milwaukee Street. Exterior materials are of high quality, and the proposed openings provide interest, especially on the south and west elevations. The hipped roof proposed blends well with the existing building, and while a less suburban roof design might be more attractive, it would likely be less appropriate at this location. Notably, the main entrance to the building faces the parking lot, rather than Wittwer Road to the east. Planning staff encouraged the applicant to consider reorienting the main entrance closer to Wittwer Road, but understands that there is a strong desire by the applicant to have treatment rooms facing Hiestand Park to the east. When taking this into account at this location, staff believes that the proximity of the main entrance to Wittwer Road may be sufficient for pedestrian access in this case. Of the two alternatives proposed, "Alternative A" may be preferable due to the two-story features incorporated into the design. However, at this location, staff believes that either alternative could meet the conditional use standards.

The orientation of the main parking lot is perhaps the most suitable, when taking into account the unique shape of the lot. However, staff believes that two adjustments would improve the relationship of the lot to Milwaukee Street. First, the location of the dumpster enclosure backing onto Milwaukee Street, while maximizing the number of parking stalls, is not supported by staff. While details for this dumpster enclosure have not yet been provided, it appears as though it would result in an awkward blank brick wall a few feet from the Milwaukee Street right of way, with low landscaping on either side. Unless the applicant can adequately soften the enclosure with landscaping behind it, it should be relocated to the western portion of the lot at the expense of two parking stalls. Second, the private sidewalk near the existing building should continue to Milwaukee Street, providing more direct access to the main entrance of the building.

The applicant has indicated that the small staff parking lot to the north is necessary so as to be able to provide sufficient parking in the main lot for patients visiting both buildings. While not ideal, staff believes that the lot can be supported, assuming that the applicant can meet all stormwater management regulations for approval by City Engineering staff. The proposed brick shed and dumpster enclosure just west of this lot are adequate. Finally, staff believes that the proposed bicycle parking is well distributed throughout the site, although specific bicycle parking structures will need to be specified in final plans for staff review.

The landscaping plan will need to be resubmitted and reviewed carefully by zoning staff for adherence to all landscape requirements. Planning Division staff believes that the revised landscape plan should include two minor adjustments. First, landscaping should be incorporated between Wittwer Road and the staff parking lot just south of the access drive, to match that proposed to the north of the access drive. Second, in conjunction with a relocation of the dumpster enclosure in the main parking lot, the landscaped bed along Milwaukee Street should be continuous along the entire southern edge of the parking lot.

Conclusion

In conclusion, the Planning Division believes that the proposed building is a positive addition to the area on balance. Staff believes that conditional use standards can be met with this request, and recommends that the Plan Commission approve it subject to input at the public hearing and conditions from reviewing agencies.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request subject to input at the public hearing and the following conditions:

1. In order to prevent a blank wall facing Milwaukee Street, the applicant shall either remove or work with staff to relocate the proposed southern dumpster enclosure to a more appropriate location on final plans submitted for staff review and approval.
2. In final plans submitted for review and approval by staff, the sidewalk just west of the existing building shall be extended to join with the Milwaukee Street sidewalk to provide more direct pedestrian access to the existing building.
3. Landscape plans submitted with the final plan set for review by staff shall include additional landscaping just south of the new access driveway along Wittwer Road and a continuous landscaped bed between the main parking lot and Milwaukee Street.

The following conditions have been submitted by reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

4. The existing building has a non-conforming address per 10.34 Madison General Ordinances and shall be changed to 2 Wittwer Road. The new building has been assigned an approved address of 24 Wittwer Road.
5. Any damage to pavement on Wittwer Road or Milwaukee Street will require restoration in accordance with the City's Patching Criteria.
6. This site is a mix of redevelopment and new development as such the TSS removal efficiency required shall be a weighted average of the 40% and 80% removal rates.
7. Storm sewer pipes appear to be oversized. Provide design calculations for sizing of storm pipes.
8. Proposed 15" storm sewer connects to public inlet served by 12" storm sewer. Revise plans to design a compatible system.
9. The sanitary sewer being connected to is 18" diameter vitrified clay and not 21" diameter as it is shown on the plan set.
10. Proposed sanitary lateral will require a Smith-Blair 622 18" x 4" tapping sleeve for connecting to the City's 18" vitrified clay sanitary sewer or revise the plan to connect lateral to existing manhole.
11. The Applicant shall replace all sidewalk and curb and gutter abutting 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.
12. All work in the public right-of-way shall be performed by a City licensed contractor.
13. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.

14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
- Detain the 2 & 10-year storm events
 - Control 40% TSS (20 micron particle) off of new paved surfaces
 - Control 80% TSS (5 micron particle) off of new paved surfaces
 - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
 - Provide oil & grease control from the first 1/2" of runoff from parking areas
 - Complete an erosion control plan and 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.

15. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:

- Building Footprints
- Internal Walkway Areas
- Internal Site Parking Areas
- Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- Right-of-Way lines (public and private)
- All Underlying Lot lines or parcel lines if unplatted
- Lot numbers or the words "unplatted"
- Lot/Plat dimensions
- Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred zenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

16. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- Building footprints
- Internal walkway areas
- Internal site parking areas
- Lot lines and right-of-way lines
- Street names
- Stormwater management facilities
- Detail drawings associated with stormwater management facilities (including planting plans if applicable)

17. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- SLAMM DAT files.
- RECARGA files.
- TR-55/HYDROCAD/Etc...
- Sediment loading calculations

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.

18. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.

19. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.

NOTE: Permit applications for Nos. 18 and 19 above are available on line at:

<http://www.cityofmadison.com/engineering/permits.cfm>.

20. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

21. 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.

Traffic Engineering Division (Contact John Leach, 267-8755)

22. The applicant shall indicate the type of bicycle racks to be installed on site (please contact Arthru Ross, City Traffic Engineering at 266-4761 if you have questions about this item).

23. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

24. A "Stop" sign shall be installed at a height of seven (7) feet at driveway approaches. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

25. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement, which states: "On a corner lot, no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance."

26. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."

27. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

28. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans showing that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (NOTE: The required trees do not count toward the landscape point total).

29. Provide five (5) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Provide detail drawings of the bike parking stalls.
30. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards (see Parking Lot packet). Lighting will be limited to .10 watts per square foot.
31. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
32. Meet all applicable State accessibility requirements, including but not limited to:
 - a) Provide a minimum of two accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
 - d) Provide one van accessible stall 8' wide with an 8' striped out area adjacent, in the stand alone parking area labeled Staff Parking Lot.
33. Provide detail drawings of dumpster enclosure located in the south parking lot. Work with staff to assure proper screening.

Fire Department (Contact Scott Strassburg, 261-9843)

34. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19 by clearly identifying the location of all fire lanes clearly on the final site plan.
35. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least two (2) fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Water Utility (Contact Dennis Cawley, 261-9243)

This agency did not submit a response for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.