



Report to the Plan Commission

June 18, 2012

Legistar I.D. #26694
3030 Darbo Drive
Conditional Use

Report Prepared By:
Timothy M. Parks, Planner
Planning Division

Requested Action: Approval of a conditional use for a surface parking lot to serve an existing community center located at 3030 Darbo Drive.

Applicable Regulations & Standards: Section 28.08(5)(c)7 first identifies recreational buildings and community centers not operated for profit as conditional uses in the R4 General Residence District, which telescope into the R5 district. The proposed parking lot is also considered development adjacent to a public park as defined in Section 28.04(21) of the Zoning Code. Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** a conditional use to allow construction of a second parking lot to serve the Salvation Army Community Center located at 3030 Darbo Drive, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Applicant & Property Owner: Mark Waldvogel; The Salvation Army; 3030 Darbo Drive; Madison.

Project Contact: Brad Nygaard; Eppstein Uhen Architects, Inc.; 222 W. Washington Avenue, Suite 650; Madison.

Proposal: The applicant proposes to construct a 29-stall surface parking lot to serve an existing community center on the portion of the site zoned R5 (General Residence District). The applicants wish to proceed as soon as all regulatory approvals have been granted.

Existing Conditions: The overall site is developed with the Salvation Army Community Center and an existing surface parking lot, zoned R5, C1 (Limited Commercial District), C2 (General Commercial District). The portion of the site on which the new parking lot is proposed is currently a grass lawn with a small community garden space located at the southeastern corner of the property.

Parcel Location: The 3.4-acre overall property is located on the north side of Darbo Drive between Clyde Gallagher Avenue and Rosemary Avenue; Aldermanic District 6 (Rummel); Madison Metropolitan School District.

Land Use and Surrounding Zoning:

North: Immediately to the north are the Eastpointe Apartments, four 12-unit apartment buildings, zoned R5 (General Residence District). The Department of Corrections office complex is located further to the north across Webb Avenue in C2 (General Commercial District) zoning;

South: Multi-family residential buildings with 78 total dwelling units, zoned R4 and R5 (General Residence Districts);

West: McDonalds Restaurant, a pay-day loan business, and a vacant former restaurant building, zoned C2, all of which face E. Washington Avenue to the northwest;

East: Worthington Park, zoned R4 and R5.

Adopted Land Use Plan: The Comprehensive Plan recommends the subject site and surrounding properties for Medium-Density Residential uses.

The Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan does not have a more specific land use recommendation for this area, but included a recommendation that the neighborhood work with the Salvation Army to decrease the size of its parking lot. This recommendation was made prior to the construction of the gymnasium.

Environmental Corridor Status: The site is not located within a mapped environmental corridor. Worthington Park to the east of the site is identified on the corridor map as public land; Starkweather Creek to the west of the site is identified as a perennial stream/ channel.

Public Utilities and Services: This property is served by a full range of urban services, including seven-day Metro Transit bus service nearby along E. Washington Avenue.

Zoning Summary: Existing R5 (General Residence District), C1 (Limited Commercial District), and C2 (General Commercial District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	149,279 sq. ft. existing
Lot Width	50'	Adequate, existing
Front Yard	0'	Adequate
Side Yards	0'	Adequate
Rear Yard	10'	Adequate
Floor Area Ratio	3.0 maximum	Existing
No. of Parking Stalls	151	152
Accessible Stalls	6	7
Loading	N/A	--
No. Bike Parking Stalls	16	24
Other Critical Zoning Items		
Yes:	Floodplain, Utility Easements, Barrier Free	
No:	Urban Design, Wellhead Protection; Landmark; Adjacent to Park	
Prepared by: Pat Anderson, Asst. Zoning Administrator		

Project Review, Analysis & Conclusion

The Salvation Army is requesting approval of a conditional use to allow construction of a 29-stall surface parking lot to serve their existing community center and gymnasium located at 3030 Darbo Drive. The proposed parking lot will be located on an undeveloped portion of the 3.4-acre overall site adjacent to Rosemary Avenue, which forms the eastern edge of the site. The overall property extends along the north side of Darbo Drive from Rosemary Avenue to Clyde Gallagher Avenue and is developed with a one-story community center building located at the center of the site and a tall one-

story gymnasium addition located along the eastern wall of the center. The portion of the property west of the community center is developed with a 156-stall surface parking lot. The 3.4 acre property is zoned C2 (General Commercial District), C1 (Limited Commercial District) and R5 (General Residence District), moving west to east across the property. The existing community center, gymnasium and parking lot are located on the commercially zoned portions of the property. The R5-zoned portion of the property is currently an undeveloped lawn area with an inactive community garden located at the southeastern corner of the property adjacent to the corner of Darbo Drive and Rosemary Avenue.

Plans for the proposed 29-stall parking lot call for a double-loaded aisle that will enter the site from a new driveway from Darbo Drive. The parking lot will be setback 45 feet from Rosemary Avenue. The community garden will be relocated to the northeastern corner of the site within the 45-foot setback as part of this project.

The letter of intent indicates that the new lot will provide parking for staff and guests of the gym, who exit the facility to the south and east. The 29 stalls will also offset some loss of parking anticipated when the applicant reconstructs the existing parking lot west of the site to add the landscaped islands first required circa 1997 when the gymnasium addition was approved as a permitted use in C1 and C2 zoning. The 1997 site plan showed the installation a series of landscaped islands in the western lot to meet the parking lot landscaping requirements contained in Section 28.04(12)(b) of the Zoning Code, which the applicant acknowledges were not built due to budgetary constraints. The applicant proposes to reconstruct the western lot as part of the proposed construction of the new eastern lot. The reconstruction of the existing lot to add the previously required islands will result in the 156-stall lot being reduced to 123 parking stalls. The Zoning Administrator has determined that 151 stalls are required to serve the Salvation Army facility. A total of 152 parking stalls are proposed to serve the overall facility between the reconstructed western lot and proposed 29-stall eastern lot.

The addition of the 29-stall parking lot on the R5-zoned portion of the site is considered a conditional use. Recreational buildings and community centers not operated for profit are identified as conditional uses in the R5 General Residence District even though the actual community center facilities are located on commercially zoned property.

The Planning Division believes that the proposed 29-stall surface parking lot on the east side of the Salvation Army community center can meet the standards of approval for conditional uses and supports its construction concurrent with the overdue reconstruction of the existing western parking lot to bring that portion of the site into compliance with Zoning Code requirements for parking lot landscaping. The landscaping, lighting and parking improvements proposed by the applicant should significantly improve the appearance of the site, which is currently characterized by an unadorned surface parking area and limited landscaping. Staff does not believe that the proposed improvements will have an adverse impact on the uses, value and enjoyment or normal and orderly development of surrounding properties and feels that the proposed improvements will allow an established community service agency to continue to provide important services to the surrounding community.

Also, as noted in the General Information section of this report, Worthington Park is located to the east of the subject site across Rosemary Avenue. Section 28.04(21) of the Zoning Code defines any new development within 200 feet of the boundary of a City-owned park or on lands directly across a street and within 150 feet of the across the street line as development adjacent to a public park, which requires approval of a conditional use. Examples of applicable new development cited in the Zoning Code include the addition of parking spaces or driveways on the park side of an existing development in addition to the construction of new buildings or additions to existing buildings over a certain size.

In addition to the review standards for conditional uses, development adjacent to a park is also subject to standards intended to assess the development's impact on the park. Those standards require the development plan to show a complete inventory of vegetation in any area proposed for building, filling, grading or excavating within 100 feet of the park and indicate the trees and shrubbery that will be removed as a result of the development. The cutting of trees and shrubbery is limited in the strip 35 feet from the park or from the right-of-way line directly across a street to those approved for removal. The standards also require that grading and drainage within 35 feet of the park be reviewed for its effect on the park and on trees, shrubbery and ground cover, and that the projected pedestrian traffic to and from the park not be unduly hampered by traffic from the new development.

Staff does not believe that the proposed improvements to the subject site will have a negative impact on Worthington Park. The eastern edge of the proposed parking lot will be located 45 feet from the westerly right of way line of Rosemary Avenue and over 100 feet from the western edge of the park located across the street. No vegetation exists within 35 feet of the westerly right of way line of Rosemary Avenue. Final approval of the conditional use will require approval of drainage and erosion control plans by the City Engineering Division prior to the commencement of construction activities.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow construction of a second parking lot to serve the Salvation Army Community Center located at 3030 Darbo Drive, subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That Sheet AS100 be revised per Planning Division approval as follows:
 - 1a. show the proposed limits of the relocated Darbo Community Gardens;
 - 1b. revise the Parking Lot Site Information table to categorize the parking data as "Existing Parking", "Proposed Western Parking Lot", and "Proposed Eastern Parking Lot" with the same information on small, large and accessible stalls to be provided;
 - 1c. for clarity, this sheet shall be revised to present the overall site in its proposed final form, including the removal of all clouds and the ghosting of existing improvements. The final site plan shall present the site as it will exist once all of the proposed improvements are implemented.
2. That a final landscaping plan for the project be approved by the Planning Division prior to final approval of the site plan and the issuance of any permits for the parking lot projects. The approval to plant new trees or alter existing trees within the public rights of way shall be granted by the City Forester

The following conditions have been submitted by reviewing agencies:

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

3. Revise east parking lot drainage so it will not drain onto the existing community gardens. This can be accomplished with inlets and a storm sewer connection to the existing inlet at the corner of Darbo Drive and Rosemary Avenue.

4. The applicant shall install sidewalk along Rosemary Avenue to connect the existing sidewalk to the north to the sidewalk along Darbo Drive. If the sidewalk cannot fit in the standard location because of the existing utility poles a Permanent Limited Easement for public sidewalk may be required.
5. The applicant shall install the Rosemary Avenue public sidewalk with a Permit to Excavate in the Right of Way and shall post a \$5,000 deposit to guarantee the sidewalk construction. Upon successful construction and acceptance of the sidewalk, the City will refund the deposit. The applicant shall pay all administrative fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
6. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. All work in the public right-of-way shall be performed by a City-licensed contractor.
8. 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 that 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.
9. All damage to the pavement on Darbo Drive or Rosemary Avenue adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
10. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
11. 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.
12. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right of way. It may be necessary to provide information off the site to fully meet this requirement.
13. The applicant shall submit, prior to plan signoff, 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 lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans). This agency submitted a response with no conditions of approval for this request.
14. 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 Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

15. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
16. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
17. A "Stop" sign shall be installed at a height of 7 feet at the all 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.
18. 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)

19. Pursuant to MGO Section 28.04(12)(c), where sites share a zoning district boundary with residential development, this development must provided effective 6' – 8' high screening along the lot line of this commercial district adjoining a residential zoning district. As this is a conditional use, the Plan Commission may modify this requirement.
20. Bike parking shall comply with MGO Section 28.11. Provide 16 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. Note: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
21. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a plan showing at least 0.5 foot candle on any surface on any lot, and an average of 0.75 foot candles. The maximum light trespass shall be 0.5 fc at 10 feet from the adjacent lot line (see City lighting ordinance).
22. Parking lot plans with greater than 20 stalls shall comply with MGO Section 28.04(12). Landscape plans must be stamped by a registered landscape architect. Provided a landscape worksheet with final plans that shows 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). Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch, or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.

23. Parking requirements for persons with disabilities must comply with MGO Section 28.11(3)(6)(m), which includes all applicable State accessibility requirements, including but not limited to:
- a.) Provide a minimum of 6 accessible stalls striped per State requirements. A minimum of 1 of the stalls shall be a van-accessible stall 8 feet wide with an 8-foot striped 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.

Fire Department (Contact Bill Sullivan, 261-9658)

24. Design new parking lot on east side of building to comply with fire lane requirements, to address current access deficiency to the north side of the building.
25. Provide an updated site plan showing all fire lanes serving the property on the final site plans.

Parks Division (Contact Tom Maglio, 266-4711)

This agency did not submit comments for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

This agency submitted a response with no conditions of approval for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.

Police Department (Contact Frank Chandler, 266-4238)

This agency did not submit comments for this request.