



City of Madison

Proposed Conditional Use

Location
1356 MacArthur Road

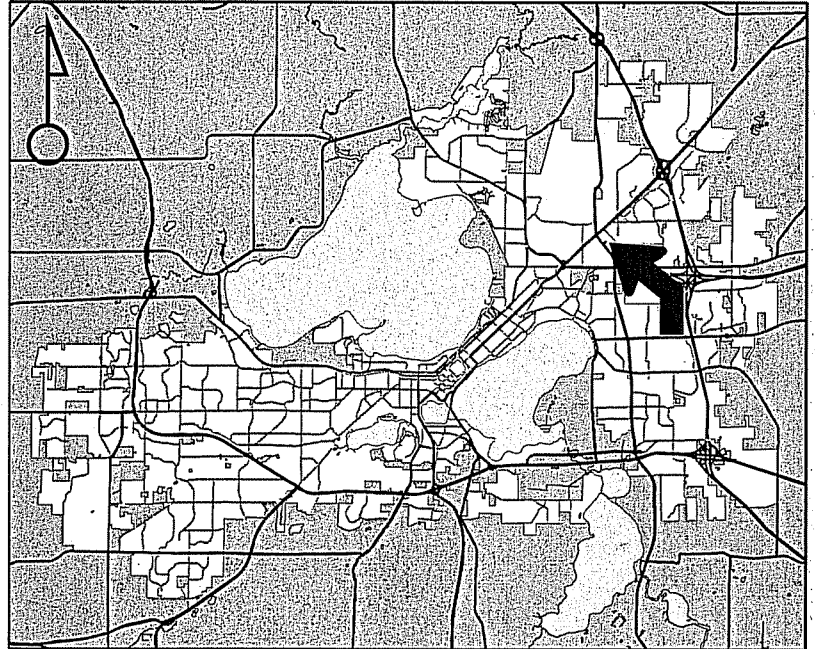
Project Name
Lighthouse Daycare

Applicant
Steve Bohlman – CNEH Condos, LLC/
Josh Wilcox – Gary Brink & Associates, Inc.

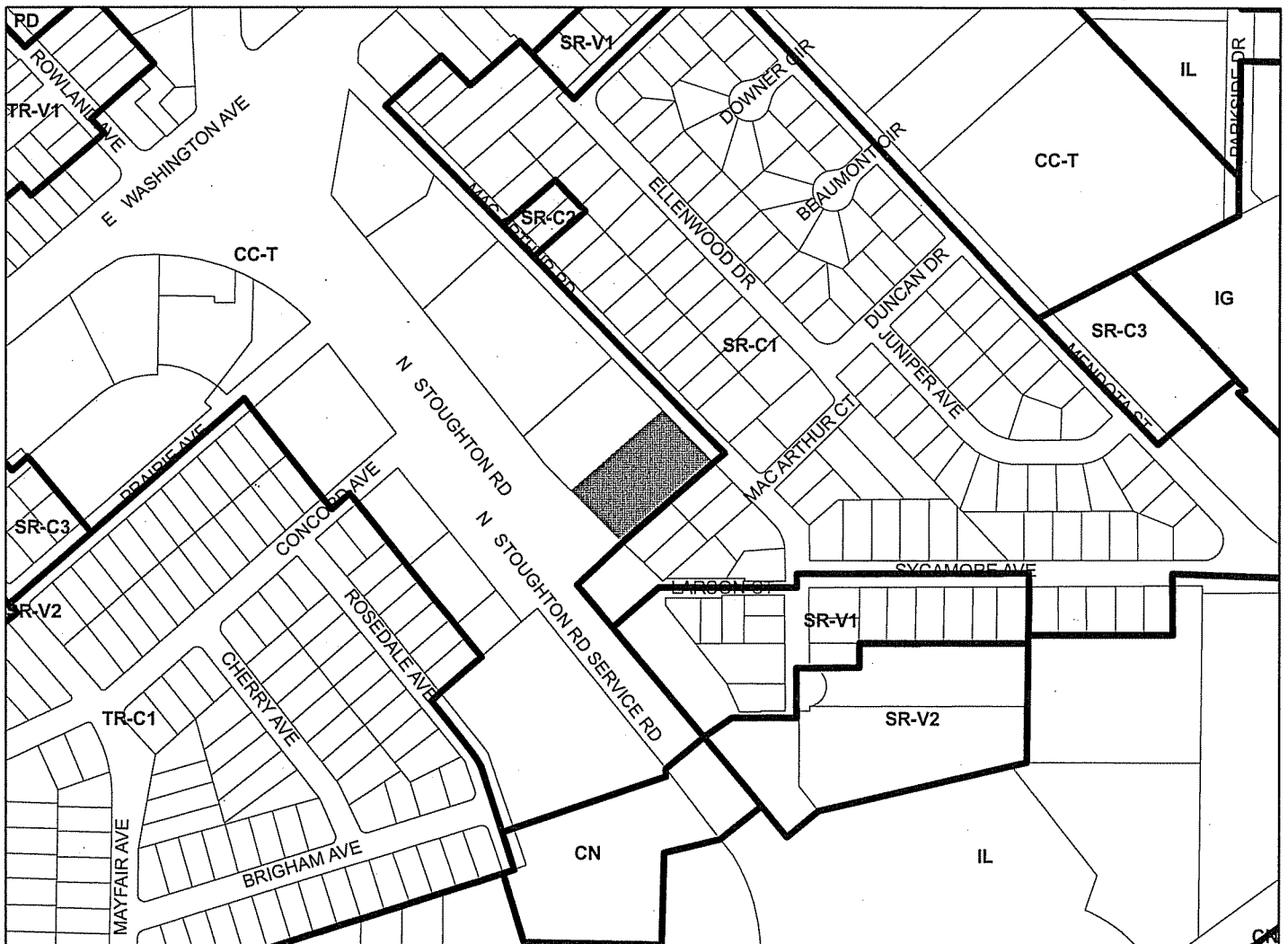
Existing Use
Daycare

Proposed Use
Revised screening for existing
daycare playground

Public Hearing Date
Plan Commission
07 December 2015

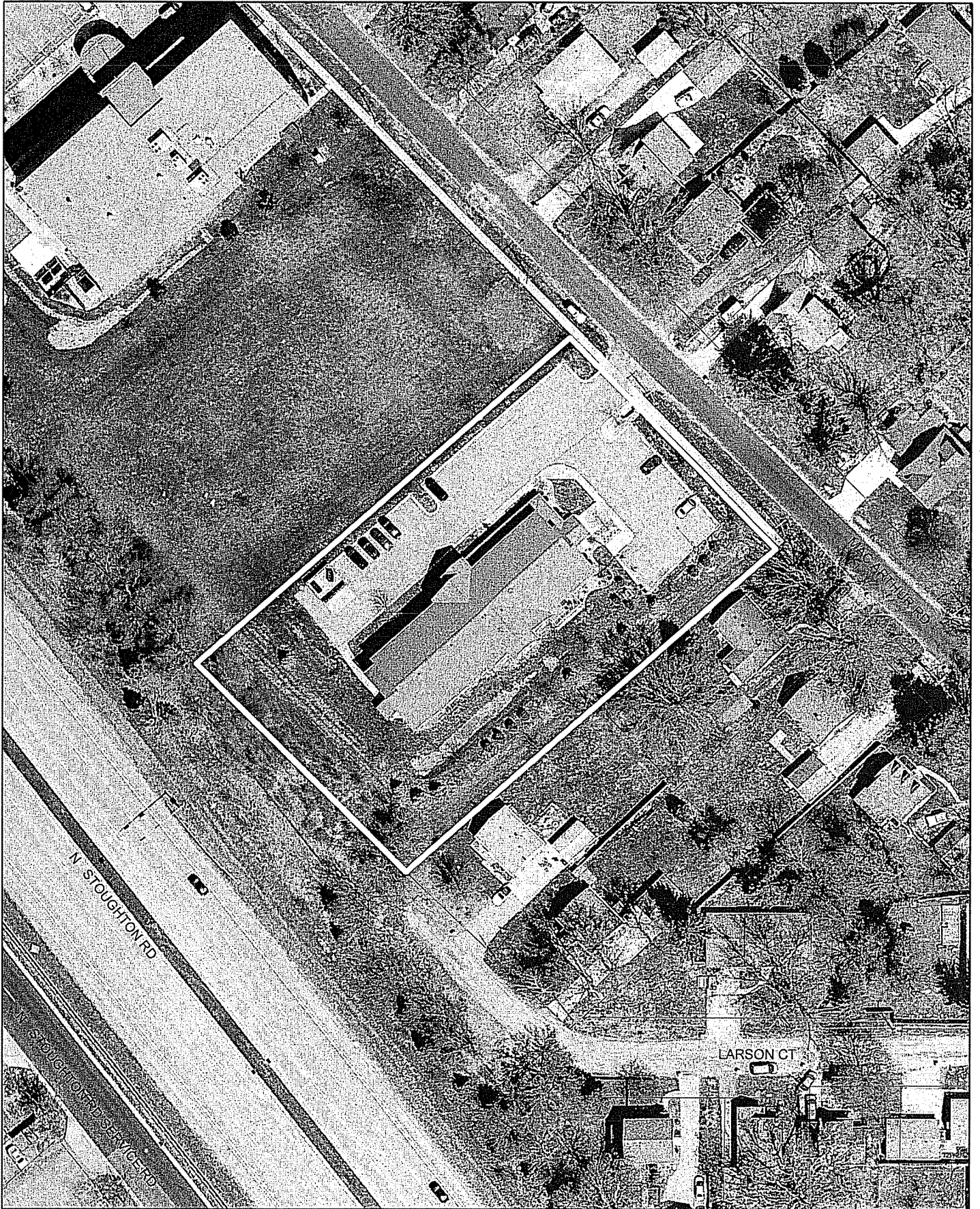


For Questions Contact: Heather Stouder at: 266-5974 or hstouder@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 02 December 2015





LAND USE APPLICATION

CITY OF MADISON

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

- All Land Use Applications should be filed with the Zoning Administrator at the above address.
- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed using the Subdivision Application.
- This form may also be completed online at:
www.cityofmadison.com/developmentcenter/landdevelopment

FOR OFFICE USE ONLY:

Amt. Paid _____ Receipt No. _____
Date Received _____
Received By _____
Parcel No. _____
Aldermanic District _____
Zoning District _____
Special Requirements _____
Review Required By:
☐ Urban Design Commission ☐ Plan Commission
☐ Common Council ☐ Other: _____

Form Effective: February 21, 2013

1. Project Address: 1356 MacArthur Rd.
Project Title (if any): Lighthouse Daycare (part of Eagle Harbor Condominium)

2. This is an application for (Check all that apply to your Land Use Application):

- ☐ Zoning Map Amendment from _____ to _____
- ☐ Major Amendment to Approved PD-GDP Zoning ☐ Major Amendment to Approved PD-SIP Zoning
- ☐ Review of Alteration to Planned Development (By Plan Commission)
- ☒ Conditional Use, or Major Alteration to an Approved Conditional Use
- ☐ Demolition Permit
- ☐ Other Requests: _____

3. Applicant, Agent & Property Owner Information:

Applicant Name: Steve Bohlman Company: CNEH Condos LLC
Street Address: 1360 MacArthur Rd City/State: Madison Zip: 53714
Telephone: (608) 228-5710 Fax: () Email: stevebohlman@yahoo.com

Project Contact Person: Josh Wilcox Company: Gary Brink & Associates, Inc.
Street Address: 7780 Elmwood Avenue, Suite 204 City/State: Middleton/WI Zip: 53562
Telephone: (608) 829-1750 Fax: (608) 829-3056 Email: josh.wilcox@garybrink.com

Property Owner (if not applicant): Same as above
Street Address: _____ City/State: _____ Zip: _____

4. Project Information:

Provide a brief description of the project and all proposed uses of the site: Condominium Unit 1, located at 1356 MacArthur Rd.
is owned by CNEH Condos LLC, and is leased to Lighthouse Daycare. Lighthouse operates a daycare facility. The fenced in area is the daycare's playground.

Development Schedule: Commencement N/A Completion Completed

5. Required Submittal Information

All Land Use applications are required to include the following:

☒ **Project Plans Including:***

- Attached • Site Plans (fully dimensioned plans depicting project details including all lot lines and property setbacks to buildings; demolished/proposed/alterd buildings; parking stalls, driveways, sidewalks, location of existing/proposed signage; HVAC/Utility location and screening details; useable open space; and other physical improvements on a property)
- N/A • Grading and Utility Plans (existing and proposed)
- N/A • Landscape Plan (including planting schedule depicting species name and planting size)
- N/A • Building Elevation Drawings (fully dimensioned drawings for all building sides, labeling primary exterior materials)
- N/A • Floor Plans (fully dimensioned plans including interior wall and room location)

Provide collated project plan sets as follows:

- **Seven (7) copies** of a full-sized plan set drawn to a scale of 1 inch = 20 feet (folded or rolled and stapled)
- **Twenty Five (25) copies** of the plan set reduced to fit onto 11 X 17-inch paper (folded and stapled)
- **One (1) copy** of the plan set reduced to fit onto 8 1/2 X 11-inch paper

* For projects requiring review by the **Urban Design Commission**, provide **Fourteen (14) additional 11x17 copies** of the plan set. In addition to the above information, all plan sets should also include: 1) Colored elevation drawings with shadow lines and a list of exterior building materials/colors; 2) Existing/proposed lighting with photometric plan & fixture cutsheet; and 3) Contextual site plan information including photographs and layout of adjacent buildings and structures. The applicant shall bring samples of exterior building materials and color scheme to the Urban Design Commission meeting.

☒ **Letter of Intent: Provide one (1) Copy per Plan Set** describing this application in detail including, but not limited to:

- | | | |
|---|---|--|
| • Project Team | • Building Square Footage | • Value of Land |
| • Existing Conditions | • Number of Dwelling Units | • Estimated Project Cost |
| • Project Schedule | • Auto and Bike Parking Stalls | • Number of Construction & Full-Time Equivalent Jobs Created |
| • Proposed Uses (and ft ² of each) | • Lot Coverage & Usable Open Space Calculations | • Public Subsidy Requested |
| • Hours of Operation | | |

*See LOI. Some items not included due to the specific nature of the Alteration request, and based on feedback from Staff.

☒ **Filing Fee:** Refer to the Land Use Application Instructions & Fee Schedule. Make checks payable to: City Treasurer.

☒ **Electronic Submittal:** All applicants are required to submit copies of all items submitted in hard copy with their application as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or by e-mail to pcapplications@cityofmadison.com.

☐ **Additional Information** may be required, depending on application. Refer to the Supplemental Submittal Requirements.

6. Applicant Declarations

☒ **Pre-application Notification:** The Zoning Code requires that the applicant notify the district alder and any nearby neighborhood and business associations in writing no later than **30 days prior to FILING this request**. List the alderperson, neighborhood association(s), and business association(s) AND the dates you sent the notices:

Notice was given to Alder Baldeh and the Neighborhood Association via email 10/6/15. See attached emails.

→ If a waiver has been granted to this requirement, please attach any correspondence to this effect to this form.
The Applicant has requested a waiver from the Alder.

☒ **Pre-application Meeting with Staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning and Planning Division staff; note staff persons and date.

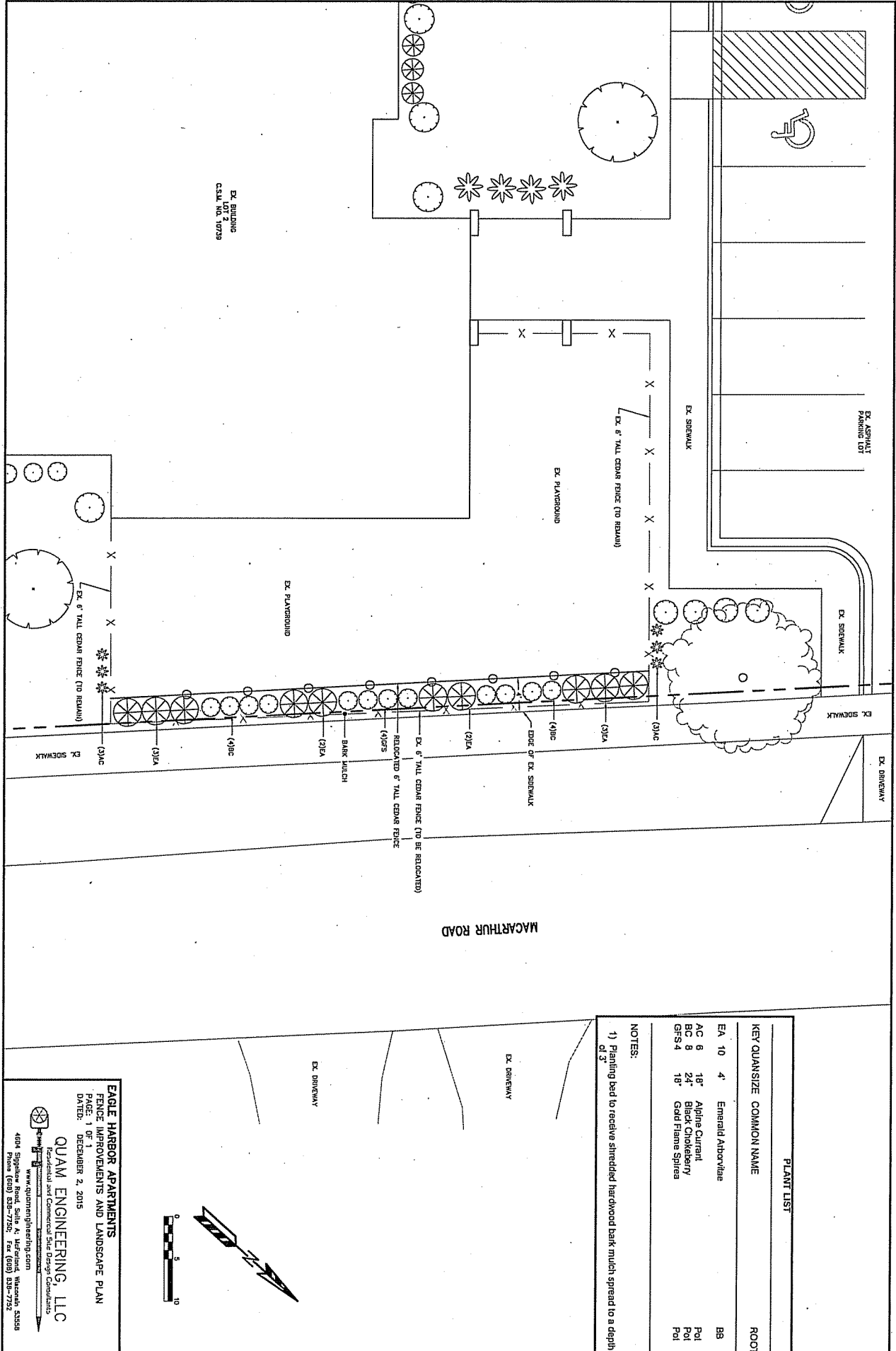
Planning Staff: Heather Stouder Date: 10/6/15 Zoning Staff: Matt Tucker Date: 10/6/15

*Requirement waived per email from Heather Stouder 10/6/15

The applicant attests that this form is accurately completed and all required materials are submitted:

Name of Applicant Steve Bohlman Relationship to Property: Director of CNEH Condos LLC

Authorizing Signature of Property Owner Steve Bohlman Date 10/7/15



PLANT LIST

KEY QUANSIZE	COMMON NAME	ROOT
EA 10	4' Emerald Arborvitae	BB
AC 6	18" Alpine Currant	Poi
BC 8	24" Black Chokeberry	Poi
GFS 4	18" Gold Flame Spirea	Poi

NOTES:

- 1) Planting bed to receive shredded hardwood bark mulch spread to a depth of 3"

18

October 7, 2015

Matthew Tucker
Zoning Administrator
Madison Municipal Building, LL 100
215 Martin Luther King, Jr. Blvd
PO Box 2984
Madison, WI 53701-2984

Re: Alteration to an Approved Conditional Use
Letter of Intent, CNEH Condos LLC, 1356 MacArthur Rd.
Eagle Harbor Apartments development

Dear Matt:

This is our Letter of Intent (Alteration to an Approved Conditional Use) for the property located at 1356 and 1360 MacArthur Rd. This project is located in the CC-T commercial district. The majority of the property was developed and completed in 2014 as a three-level multi-family residential building including 36 low-income apartment units and a two thousand square foot daycare facility.

Project Overview and Background

The property includes two condominium units, Unit 1 is the daycare space, operated by Lighthouse Daycare (1356 MacArthur Road), and Unit 2 includes the 36 low-income apartment units, known as Eagle Harbor Apartments (1360 MacArthur Road).

The Conditional Use for the development was approved by City Plan Commission in January, 2013. The Occupancy Permit for Unit 2, the 36 apartment units, was issued in September, 2014. The Building Permit for Unit 1, the daycare space, was issued in December, 2014. The Occupancy Permit for Unit 1 was issued in February, 2015.

The apartments are leased to people with varying incomes. This integrated environment includes housing units for people with incomes equal to 80%, 60%, 50% and 30% of the County Median Income ("CMI").

The daycare space is a great amenity for young families residing in the building and families living in the neighborhood. The daycare is operated by Lighthouse Daycare. Lighthouse also has a successful daycare location on the west side of Madison. Lighthouse is also a minority business and is a bilingual daycare.

Playground Fence Background

The daycare playground area was completed in summer, 2015. A wood fence was constructed around the playground area consistent with the plans submitted to obtain the Building Permit in December, 2014.

The owner received a violation letter in June from the City of Madison Building Inspection Division regarding the type of fence installed around the Lighthouse Daycare playground.

The original building and site plan approved by Planning & Zoning in January, 2013 for the entire site, identified the daycare fence as a 6' tall aluminum fence. These plans were approved prior to having a lease signed with a daycare operator and prior to having detailed construction plans completed for the daycare space.

In October, 2014 the owner signed a lease with Lighthouse to operate the daycare facility. Architectural plans were then created for the interior and exterior daycare space.

Subsequently, Alder Joe Clausius approved an *Application for Alteration of Existing Conditional Use*, allowing up to 36 kids instead of 32. Furthermore, a building permit was obtained from the City of Madison for the daycare build-out. The plans that were approved by the City called for a "wood privacy fence – Struck & Irwin Cedar solid-board fence – 7' tall".

Alteration Request

The Applicant hereby requests that City Plan Commission approve the existing wood fence as currently built.

The typical daycare playground facility built these days finds the playground located behind or to the rear of the daycare facility. Occasionally we find a playground built alongside of the facility but rarely, if ever, between the facility and the main thoroughfare. In most cases, the boundary fence is simply to keep the children within the playground area. There is usually little need for any privacy or security other than keeping the children within the playground boundary.

Because the Lighthouse daycare playground is located between the facility and the main thoroughfare, there are additional concerns that factored into the decision to install a more private and secure fence. The third concern is unique:

1. Security of keeping the children within the playground area. Both the original fence and the installed fence will accomplish this purpose.
2. Privacy in separating the children within the playground area from the adjoining thoroughfare as well as adjoining properties. Both the original fence and the installed fence will accomplish this purpose.
3. Identity security for the children within the playground area. We currently have 3 children, and may be expected to have more or less in future enrollment, that require identity security due to legitimate security issues. These 3 children are registered with us and their names are not even to be disclosed on the Dane County daycare registry as they are out of situations that have been abusive, risk of physical violence, or risk of custody battles. Sad but true, that these children's identities are being protected from a variety of outside entities. We unfortunately live in a time when children who have come out of these circumstances need to be protected, sometimes even from a parent who has lost custody of them due to physical or emotional abuse. We have security on all of our entrances and exit doors, and need to extend that to the playground fence. The reason is because the playground is so close to the main thoroughfare and is not behind or adjacent to the daycare facility. The identity of these protected children is being maintained by the fence as installed, and the original fence will not protect the children's identity. Anyone driving or walking past the playground could easily identify the children whose identities we are trying to protect.

This last reason is the primary reason for the fence change. When the daycare plans for the building permit were filed, the wooden fence was clearly noted, and Alder Clausius was notified that we were expanding the facility from an authorized size of 32 children to 36 children. Alder Clausius supported our expansion from 32 to 36 children, and we filed for our building permit with the fence change clearly noted on the plans. Upon receiving our building permit, we expected that we would need to do nothing additional. In hindsight, we should have also provided notice of the fence change in the supporting letter from Alder Clausius. We omitted this language and should have included it, but failed to.

We understand the position of the Planning Department that the original fence, as proposed, integrates in a more aesthetically pleasing way with the facility. However, we believe that criteria falls second in priority to protecting the identities of children whose identities need to be kept private due to safety concerns now and in the future.

There is the final matter of the cost of a fence change, which would be a burden to the daycare operator, but this was certainly not the primary concern when selecting the fence type that we showed on the plans as submitted for the daycare building permit. Identity security was the number one concern.

Contact Information

<u>Applicant/Owner:</u> CNEH Condos LLC 1360 MacArthur Rd. Management Office Madison, WI 53714 Phone: 608-228-5710 Contact: Steve Bohlman stevebohlman@yahoo.com	<u>Architect</u> Gary Brink & Associates, Inc. 7780 Elmwood Avenue Suite 204 Middleton, WI 53562 Phone: 608-829-1750 Fax: 608-829-3056 Contact: Josh Wilcox Josh.wilcox@garybrink.com	
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Please refer to the Land Use Application and plans for additional information.

We wish to be an excellent neighbor in all respects with regards to the operation of both the Eagle Harbor affordable housing and Lighthouse Daycare properties.

Sincerely,

CNEH Condos LLC



Steve Bohlman
President, CNEH Condos







GARY BRINK & ASSOCIATES
ARCHITECTS
7708 ELMWOOD AVENUE
SUITE 204
MIDDLETON, WI 53562
608-829-1750
608-829-3056 (FAX)

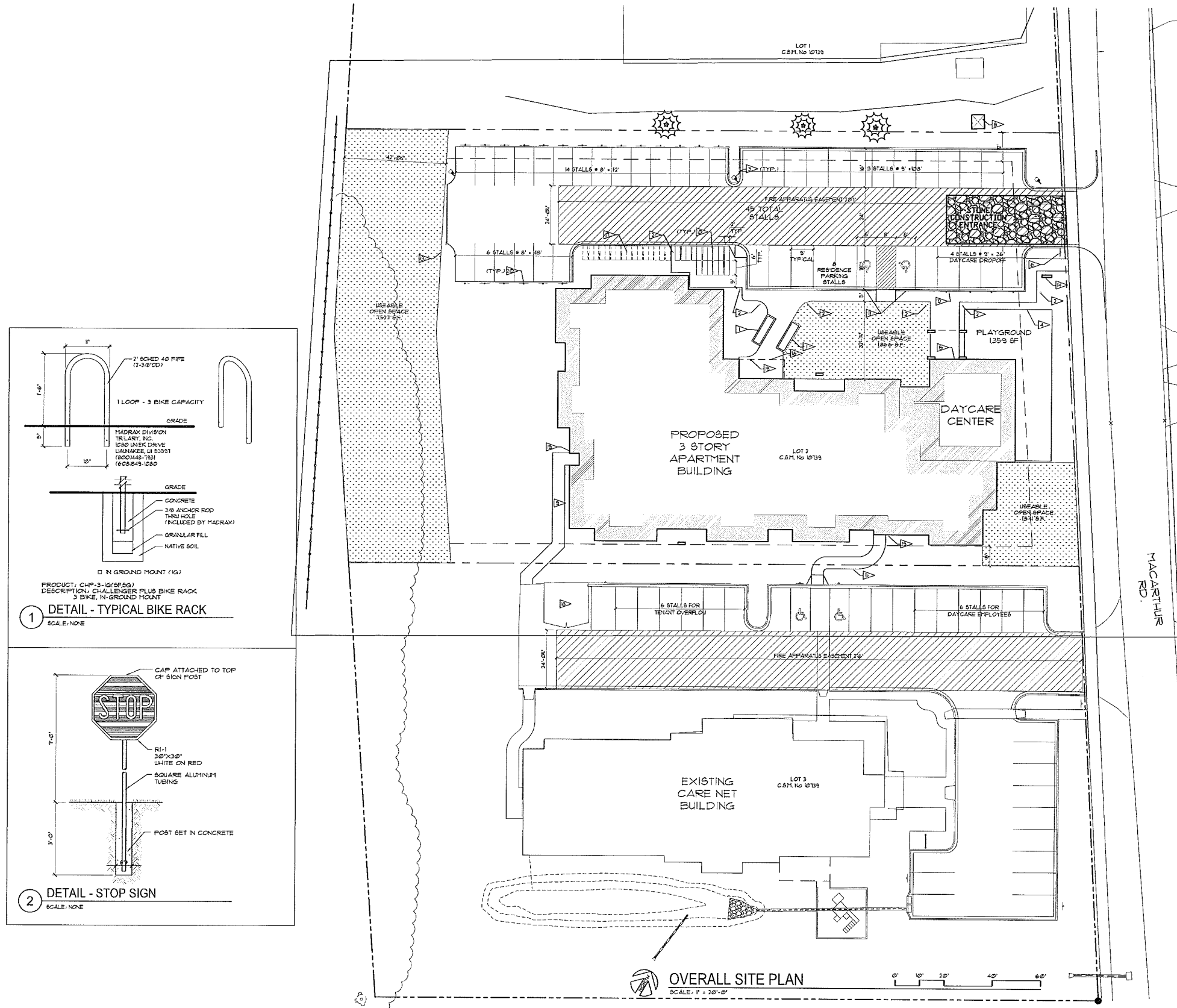
PARKING LOT PLAN SITE INFORMATION BLOCK	
Site Address	1360 MacArthur Road
Site acreage (total)	1.23 acres
Number of building stories (above grade)	3
Building height	
DRR type of construction (new structures or additions)	NA
Total square footage of building	42,744 sq. ft.
Use of property	Rental Housing and Daycare Facility
Gross square feet of office	1,886 sq. ft. (Daycare)
Gross square feet of retail area	NA
Number of employees in warehouse	NA
Number of employees in production	NA
Capacity of restaurant/food of assembly	NA
Number of bicycle stalls shown	12 Outdoor Bicycle Stalls 10 Indoor Bicycle Stalls
Number of parking stalls	SHOWN
Small Car	20
Large Car	35
Accessible	2
Total	57
Number of trees shown (See Landscape Plan)	

- GENERAL NOTES**
1. ANY DAMAGE TO EXISTING PAVEMENT AT MACARTHUR RD. WILL REQUIRE RESTORATION IN ACCORDANCE WITH MADISON PATIOMING CRITERIA.
 2. REPLACE ALL SIDEWALK CURB AND GUTTER WHICH ADJUTS THE PROPERTY WHICH IS DAMAGED BY THE CONSTRUCTION OR ANY SIDEWALK 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.
 3. ALL WORK IN THE PUBLIC RIGHT-OF-WAY SHALL BE PERFORMED BY A CITY LICENSED CONTRACTOR.
 4. CONTRACTOR SHALL POST A DEPOSIT AND REIMBURSE THE CITY FOR ALL COSTS ASSOCIATED WITH ANY MODIFICATIONS TO MACARTHUR RD., LIGHTING, SIGNING AND PAVEMENT TURNING, CONDUIT AND HANDHOLES, INCLUDING LABOR, ENGINEERING AND MATERIALS FOR BOTH TEMPORARY AND PERMANENT INSTALLATIONS.
 5. ANY DAMAGE ON ADJACENT PROPERTIES SHALL BE REPAIRED BY THE GENERAL CONTRACTOR AT NO EXPENSE TO THE OWNER.

- KEY NOTES**
- 1. RAISED PLANTER BEDS
 - 2. ILLUMINATED BOLLARD
 - 3. POLE LIGHT FIXTURE
 - 4. 6" TALL ALUMINUM FENCE
 - 5. NEW SIDEWALK AND CURB CUT CONNECTING TO CARENET PROPERTY
 - 6. STOP SIGN, SEE DETAIL 2 ON THIS SHEET
 - 7. NOT USED
 - 8. EXISTING ELEC. TRANSFORMER
 - 9. NEW SIDEWALK FOR CARENET TRASH ENCLOSURE ACCESS
 - 10. BIKE DOCK SEE DETAIL 1 ON THIS SHEET
 - 11. HANDICAP PARKING SIGNAGE
 - 12. DAY CARE PARKING SIGNAGE
 - 13. EXISTING D.O.T. EASEMENT
 - 14. MONUMENT SIGN
 - 15. BUILDING MOUNTED SIGN FOR DAYCARE CENTER
 - 16. BUILDING MOUNTED SIGN FOR APARTMENTS
 - 17. FUTURE BIKE STALLS
 - 18. SHARED TRASH ENCLOSURE (EXISTING)
 - 19. DOOR CONTROL
 - 20. "SMALL CARS ONLY" PARKING SIGNAGE

PARKING REQUIREMENT SUMMARY	
DAYCARE	
SHORT TERM (DROP OFF-PICK UP) PARKING STALLS	4
EMPLOYEE STALLS (6 ARE TO BE UTILIZED BY TENANTS AT VISIT)	
TOTAL	16 REQUIRED
APARTMENT:	
15 - 1 BEDROOM X 1.25 - 14 STALLS	
17 - 2 BEDROOM X 1.5 - 14 STALLS	
8 - 3 BEDROOM X 1.75 - 14 STALLS	
TOTAL	55 REQUIRED
TOTAL REQUIRED AS VEHICLE PARKING STALLS	
PARKING PROVIDED SUMMARY:	
45 STALLS IN DEVELOPMENT (14 FOR DAYCARE - 41 FOR APARTMENT TENANTS)	
6 STALLS AT EXISTING CARENET - DEDICATED TO DAYCARE EMPLOYEE PARKING ONLY	
6 STALLS AT EXISTING CARENET - OVERFLOW PARKING FOR TENANTS	
TOTAL PROVIDED: 20 COMPACT SIZE, 37 STD. SIZE - 57 TOTAL (15% LESS)	
BIKE PARKING:	
36 UNITS X 1 = 36 BIKE STALLS REQUIRED	
12 OUTDOOR BIKE STALLS PROVIDED	
4 INDOOR BIKE STALLS PROVIDED	
(1 MORE)	

OVERALL
SITE PLAN
A1.01





GARY BRINK & ASSOCIATES
ARCHITECTS
8401 EXCELSIOR DRIVE
MADISON, WI 53717
608-829-1750
608-829-3056 (FAX)



CONCEPTUAL RENDERING

PROJECT: EAGLE HARBOR APARTMENTS
1360 MACARTHUR ROAD
MADISON, WISCONSIN 53714
CARE NET PREGNANCY CENTER OF DANE COUNTY INC.
1350 MACARTHUR ROAD
MADISON, WISCONSIN 53714

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ASSOC.
PROJECT: 201246
DRAWN BY: KR
DATE: 11.28.2012
SCALE: AS NOTED

CONCEPTUAL
RENDERING



GARY BRINK & ASSOCIATES
ARCHITECTS
8401 EXCELSIOR DRIVE
MADISON, WI 53717
608-829-1750
608-829-3056 (FAX)



CONCEPTUAL RENDERING

PROJECT: EAGLE HARBOR APARTMENTS
1350 MACARTHUR ROAD
MADISON, WISCONSIN 53714
CARE NET PREGNANCY CENTER OF DANE COUNTY INC.
1350 MACARTHUR ROAD
MADISON, WISCONSIN 53714

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PROJECT: 201246
DRAWN BY: KR
DATE: 11.28.2012
SCALE: AS NOTED

CONCEPTUAL
RENDERING