



Project Address: 944 Williamson Street (6th Aldermanic District – Ald. Rummel)
Application Type: Conditional Use
Legistar File ID # [58780](#)
Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Timothy Niemiec, LaMacchia Group; 157 N Milwaukee St; Milwaukee, WI 53202

Owner: Sally Dischler, Heartland Credit Union; 5325 High Crossings Blvd; Madison, WI 53718

Requested Action: Approval of a conditional use for a vehicle access sales and service window in the TSS (Traditional Shopping Street district) at 944 Williamson Street.

Proposal Summary: The applicant is seeking the construct a two-lane vehicle access sales and service window within an existing building to serve an existing credit union at 944 Williamson Street.

Applicable Regulations & Standards: Section 28.183 M.G.O. provides the process for conditional uses. Supplemental regulations for vehicle access sales and service windows are found in Section 28.151 M.G.O.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to construct a vehicle access sales and service window at 944 Williamson Street subject to input at the public hearing and the conditions from reviewing agencies in this report.

Background Information

Parcel Location: The subject site is a 17,424-square foot (0.4-acre) parcel located at the western corner of the intersection of Williamson Street and South Brearly Street. It is within Aldermanic District 6 (Ald. Rummel) the Madison Metropolitan School District.

Existing Conditions and Land Use: 944 Williamson Street is currently occupied by a one-story multitenant building with a parking lot and non-compliant drive-through lane. The site is zoned TSS (Traditional Shopping Street District).

Surrounding Land Uses and Zoning:

Northeast: Across Brearly Street, Willy Street Park zoned TSS (Traditional Shopping Street district);

Southeast: Across Williamson Street, two-unit residences zoned TR-V2 (Traditional Residential – Variable 2) and a one-story commercial building zoned TSS;

Southwest: One-story restaurant building, zoned TSS; and

Northwest: One-story multitenant commercial building, zoned TSS.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use for the site. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) identifies the area as the Williamson Street Downtown Commercial District.

Zoning Summary: The subject property is zoned TSS (Traditional Shopping Street District):

Requirements	Required	Proposed
Front Yard Setback	None	5.2'
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line	One-story: 5'	11.2' southwest side Adequate northeast side
Rear Yard Setback: For corner lots, where all abutting property is in a nonresidential zoning district	The required rear yard setback shall be the same as the required side yard setback: 5'	22.7'
Maximum Lot Coverage	85%	93%
Maximum Building Height	3 stories/ 40'	1 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	18
Accessible Stalls	Yes	2
Loading	Not required	None
Number Bike Parking Stalls	Bank, financial institution: 1 per 2,000 sq. ft. floor area (3)	6
Landscaping and Screening	Yes	Yes (see zoning comments 2 & 3)
Lighting	Yes	Yes
Building Forms	Not required	Existing building

Other Critical Zoning Items	Historic District (His-TL), Barrier Free (ILHR 69), Utility Easements
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Table prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The site is not within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services.

Project Description

The existing one-story multitenant commercial building is 5,302 square feet and was originally built in 1987. The building currently has four storefronts, but, if approved, Heartland Credit Union will renovate the building and occupy all interior spaces. An existing non-conforming drive-through window exists on the southwest side of the building, accessed via a drive that goes around the perimeter of the building and exits onto Williamson Street. The applicant intends to occupy the entire building and build two drive through lanes within the footprint of the existing building. The most westerly tenant spaces will be converted to an under-building drive-through. The habitable area of the building would be reduced to 3,590 square feet, plus 350 square feet of storage and utility space.

The drive through will be accessed primarily from the entrance on South Brearly Street. While it may be possible to make a turning movement from the parking lot nearer Williamson Street, the drive through entrance will be angled toward the Brearly Street entrance. Vehicles using the windows would then turn left and exit the site onto Williamson Street at the rear of the building.

The front façade of the building is primarily brick, with concrete masonry units at the base and as vertical elements. The applicant has stated an intent to minimize changes to the building exterior and aesthetics and to recover and reuse as much of the brick and concrete masonry unit material as possible during construction. The credit union's main entry is proposed to be relocated more centrally in the northeasterly façade. Existing storefront door and window openings are largely proposed to remain and be reused with new aluminum framed windows and doors. The on-site walk-up ATM is also proposed to be relocated as part of the project to improve security. It is proposed to be moved from the northern corner of the building near the Williamson Street sidewalk to a location nearer the center of the building adjacent to the night deposit. Some canopies above the storefront windows are proposed to remain. In areas where storefront widths are changing, the applicant proposes to replace the awnings with similar, but appropriately sized awnings. No changes to the roof or utilities are proposed.

The surface parking lot on the northeast half of the lot currently contains 22 parking stalls. The proposed reconfigured parking lot after construction of the drive-through will be reduced to 18 parking stalls. Some additional landscaping is proposed for the entrance to the drive through. Some new landscaping is also proposed between the parking lot and Brearly Street. Other landscape on the site is to remain.

Changes to signage on the building will be handled through a separate application.

Analysis & Conclusion

This request is subject to the standards for conditional uses as vehicle access sales and service windows are a conditional use in the TSS district per MGO §28.0865(2). This section begins with adopted plan recommendations before providing an analysis the conditional use standards.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends Neighborhood Mixed Use for the site. Within the Comprehensive Plan, Neighborhood Mixed Use areas include relatively small activity centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) identifies the area as the Williamson Street Downtown Commercial District and is intended to accommodate business serving downtown workers and commuters, as well as the neighborhood. It also requires rehabilitated buildings to reflect the character, aesthetics, and scale of the surrounding historic buildings. The [Williamson Street Design Guidelines](#) (2004) does not appear to include applicable recommendations.

Conditional Use Standards

The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of M.G.O. §28.183(6) are met. M.G.O. §28.151 enumerates supplemental regulations for vehicle access sales and service windows, including several applicable to this request, such as the location of the drive through within the building. Staff believes this request complies with all applicable supplemental regulations.

With the condition provided by the Traffic Engineering Division to close the parking lot access to Williamson Street, traffic entering and exiting the site with the new service window should experience reduced vehicle-pedestrian conflicts. Because of the use and scale of the proposal are similar to the surrounding patterns of development and can be found consistent with plan recommendations, Staff believes all applicable conditional use approval standards can be found met.

Supplemental regulations for vehicle access sales and service windows are found in Section 28.151 M.G.O. Among the supplemental regulations for all zoning districts, in the TSS district, vehicle access sales and service windows shall be located under the building in which it is located and the building shall have commercial or residential uses along the primary street frontage. The applicant has worked closely with Zoning Staff to design a drive-through consistent with all zoning regulations.

Conclusion

Staff believes the proposal's scale and use is appropriate for its neighboring properties, is consistent with adopted plans, and remedies a non-compliant existing use. Staff believes that the applicable conditional use approval standards can be found to be met.

A time of report writing, Staff is unaware of any public comment regarding this request.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to construct a vehicle access sales and service window at 944 Williamson Street, subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

1. Relocate the ATM to comply with the supplemental regulations for ATM location and orientation in the TSS district. No storefront glass shall be removed to accommodate the installation of an ATM, unless the storefront glass is ninety- (90) degrees perpendicular to the sidewalk, and the ATM is being installed in an existing alcove. The ATM must be integrated into the building design. Construction or modifications to accommodate an ATM shall be made in a manner consistent with the overall design of a façade.
2. 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.
3. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it 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 if provided outside the building.

4. 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.
5. 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.

City Engineering Division (Contact Brenda Stanley, 261-9127)

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| <p>6. Based on WDNR BRRTS record #03-13-120642 (Third Lake Market), the property contains residual soil and groundwater petroleum contamination. If contamination is encountered during construction, all WDNR and DSPS regulations for proper handling and disposal of contaminated soil shall be followed.</p> |
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7. 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.
 8. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
 9. 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))

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

10. 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.
11. 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).

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

12. The Existing conditions map indicates a boundary survey has been completed. Provide a signed and sealed copy of the boundary survey by the professional surveyor to jrquamme@cityofmadison.com.

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

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| <p>13. Due to the proximity to the Bearly Street/Williamson Street intersection, the applicant shall remove the Easternmost driveway on Williamson Street and replace with standard curb and gutter.</p> |
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14. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
 15. 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.
 16. 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.
 17. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
 18. The applicant(s) shall maintain a 5 foot wide, Americans with Disabilities Act (ADA) compliant, pedestrian walkway for the duration of the project on all street frontages classified as a collector or higher. The applicant shall also maintain a 5 foot wide bicycle lane for the duration of the project on all street frontages with existing bicycle facilities. Exceptions to this requirement may be granted by Traffic Engineering on a limited term basis if and when the applicant can show a public safety concern and they also provide a clear date when the pedestrian/bicycle facilities are to be restored. All closures shall be designed by the applicant, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD), to be submitted and approved by Traffic Engineering.
 19. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

20. 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.
21. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
22. "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.
23. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
24. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.

Fire Department (Contact Bill Sullivan, 261-9658)

25. Provide a legal exit door from the drive through when the security gates and overhead door are closed.

Forestry Division (Contact Brad Hofmann, 267-4908)

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

The Planning Division, Parks Division, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.