

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of October 29, 2008**

**RE: I.D. #12460, Conditional Use Application – 223 W. Gilman Street**

1. Requested Action: Approval of a conditional use to allow an apartment building/ lodging house located at 223 W. Gilman Street to be converted into a synagogue with second floor dwelling unit.
2. Applicable Regulations: Section 28.08 (7)(c) identifies any use allowed as a permitted or conditional use in the R5 district except for community parking lots and any use specified as a permitted use in the R6 district as a conditional use. Places of worship are a permitted use in R5 zoning and are not specifically listed as a permitted use in R6, thereby becoming a conditional use. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant & Property Owner: Rabbi Mendel Matusof, Chabad Lubavitch, Inc.; 223 W. Gilman Street; Madison.  
  
Agent: Knuite Villand, Transcend Architects & Engineers, Inc.; 395 E. Main Street; Sun Prairie.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted, with completion scheduled for September 2009.
3. Location: An approximately 5,148 square-foot parcel located on the southerly side of W. Gilman Street between State and N. Henry streets; Aldermanic District 4; Madison Metropolitan School District.
4. Existing Conditions: The site is occupied by a 2 ½-story converted residence housing two apartments with lodging rooms. The site is zoned R6 (General Residence District).
5. Proposed Land Use: The applicant wishes to construct a 703 gross square-foot addition at the rear of the building and convert the first floor into a synagogue with accessory kitchen and dining area. The second floor will be remodeled into the residence for the synagogue's rabbi.
6. Surrounding Land Use and Zoning: The subject site is generally located amongst a number of student-oriented residences located in converted residential structures located along W. Gilman Street in R6 (General Residence Zoning), including one on each side of the subject

property. Other nearby land uses include the Wisconsin Lutheran Center located across W. Gilman Street from the site, the City-owned Buckeye Parking Lot located two-doors to the east, State Street business to the south and Lisa Link Peace Park located two doors to the west.

7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and other properties along the south side of W. Gilman Street west of the Buckeye Parking Lot in the "State Street" downtown mixed-use sub-district, which encourages mixed-use buildings containing a mix of office, service, dining, entertainment, etc. uses on the first floor and residential uses on upper floors.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

#### **STANDARDS FOR REVIEW**

This application is subject to the conditional use standards of Section 28.12 (11).

#### **ANALYSIS, EVALUATION & CONCLUSION**

The applicant is requesting approval of a conditional use to allow a two-unit apartment building located at 223 W. Gilman Street to be converted into a first floor synagogue with a residence for the rabbi on the second floor. The subject site is located on the southerly side of W. Gilman Street generally between Lisa Link Peace Park and the Buckeye Parking Lot in the State-N. Henry block. A student-oriented apartment building is located on either side of the subject building, with State Street-area businesses generally located to the south and the Wisconsin Lutheran Center located to the northwest across W. Gilman Street.

The existing building on the property is a 2 ½-story Tudor-styled brick structure constructed in 1921 with a partially covered front porch. The building currently houses a two-bedroom dwelling unit on the first floor and a six-bedroom unit on the second floor. The letter of intent indicates that the applicant currently holds religious services in the first floor unit.

The applicant is proposing to convert the first floor dwelling unit into a synagogue with seating for 73 persons in a sanctuary that will occupy most of the original first floor. Two restrooms, a pantry and a study will also be located within the existing first floor space. A 22-foot deep, 539 square-foot addition is proposed off the rear wall of the first floor, which will replace a gravel parking area and house a new kitchen and family dining area. The second floor will be converted into a three-bedroom apartment for use by the synagogue's rabbi and his family. A 164 square-foot stair enclosure addition will be built off the second floor to provide a rear connection to the

synagogue and a secondary means of egress. The plans for the addition indicate that the first floor addition will be clad in brick to match the existing building, with the smaller addition on the second floor to be clad in horizontal siding. A porch for use by the second floor residence is proposed to occupy the roof of the first floor addition below. Finally, an accessible ramp is proposed along the westerly side wall of the original building to connect to the existing front porch, which will provide the synagogue with access for the physically disabled. Staff requests that details of the proposed ramp be provided on the final plans for the project and that the final design and materials for the ramp be approved administratively prior to issuance of a building permit for the conversion.

Access to the rear of the lot is provided by a shared driveway along the easterly side property line. The applicant proposes to reconstruct the remainder of the rear yard area between the proposed addition and southerly property line with a small asphalt surface parking containing two stalls. A trash enclosure is shown along the rear wall of the addition, though no elevations for the enclosure have been provided. New landscaping on the site will include three ornamental trees and one shade tree in the rear yard and a deciduous shrub in the front yard next to the front porch.

The R6 zoning district identifies any use allowed as a permitted or conditional use in the R5 zoning district as a conditional use except for community parking lots and any use specified as a permitted use in the R6 district. Places of worship such as the proposed synagogue are a permitted use in R5 zoning but are not specifically listed as a permitted use in R6 zoning, thereby becoming a conditional use.

In reviewing the proposed conditional use, Planning Division staff believes that the standards for approval can be met. The scale of the proposed synagogue is considerably smaller in comparison to the Wisconsin Lutheran Center located across W. Gilman Street from the site as well as other more intensive land uses located nearby, including the Samba Restaurant and various State Street businesses. Staff believes that the synagogue should have little or no impact on surrounding properties, and that given its location in the downtown-campus area, should have little impact on the transportation infrastructure, as the site is within walking distance to high-density residential neighborhoods, the University of Wisconsin campus and seven-day bus service. Finally, staff feels that the proposed addition to the rear of the existing building is architecturally appropriate and maintains the character of the handsome 1921 residential structure.

### **RECOMMENDATION**

The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** conversion of an apartment building/lodging house located at 223 W. Gilman Street into a synagogue with second floor dwelling unit, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the final plans be revised per Planning Division approval prior to final signoff and the issuance of building permits as follows:
  - a.) identify the proposed second floor porch on the new floorplans;
  - b.) clearly identify the actual setbacks from the proposed first floor addition to the side and rear property lines;
  - c.) note the document number for the existing shared driveway easement; if no such recorded easement exists, the applicant and adjoining property owner shall record one and reflect the new easement on the final plans;
  - d.) show the proposed trash enclosure on the southerly, rear elevation and easterly side elevation, including building materials to be used;
  - e.) show the accessible ramp on the elevation of the westerly side wall, including building materials to be used.



Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
1 866 704 2315 Textnet

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.

**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Manager**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

**Financial Officer**  
Steven B. Danner-Rivers

DATE: October 20, 2008  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 223 West Gilman Street Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- 1. Provide additional information regarding the existing catch basin - size depth, and where it drains to.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.**

Name: 223 West Gilman Street Conditional Use

**General**

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 Submit a PDF of all floor plans to Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the

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addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:
  - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
  - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
    - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision.
    - b) All information shall transmitted to Janet Dailey by e-mail at [Jdailey@cityofmadison.com](mailto:Jdailey@cityofmadison.com), or on a CD to:  
  
Janet Dailey  
City of Madison Engineering Division  
210 Martin Luther King Jr. Blvd  
Room 115  
Madison, WI 53703
    - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

**LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.**

#### Right of Way / Easements

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
  - a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
  - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)

- c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
- b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
- b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.  
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:

- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
- b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

#### Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of

sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.

- 3.5 The Applicant shall grade the property line along \_\_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816.

#### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.



- 4.5 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.
- 4.6 The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-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 substantial thermal control.
  - 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.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 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.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 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:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-Way lines (public and private)
  - f) All Underlying Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words "unplatted"
  - h) Lot/Plat dimensions
  - i) Street names

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

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@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.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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:
- a) Building footprints.
  - b) Internal walkway areas.
  - c) Internal site parking areas.
  - d) Lot lines and right-of-way lines.
  - e) Street names.
  - f) Stormwater Management Facilities.
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
- a) SLAMM DAT files.
  - b) RECARGA files.
  - c) TR-55/HYDROCAD/Etc...
  - d) 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.
- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

#### Utilities General

- 5.1 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

#### Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 6.2 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.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.

- 6.4 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 and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608 266 4761  
TTY 866-704-2315  
FAX 608 267 1158

October 23, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **233 West Gilman Street – Conditional Use – Convert Lodging House into Synagogue with Accessory Apartment**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. When the applicant submits final plans for 223 & 225 West Gilman Street 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'.
4. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
5. Site 225 West Gilman Street shall either dimension all parking according to M.G.O. parking design standards or the applicant could note on site plans according to the "Central Area Back Yard Parking Standards."

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

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Knuite Villand  
Fax: 608-825-2220  
Email: kvilland@transcend-arch.com

DCD: DJM: dm

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**To:** Plan Commission

**Date:** November 3, 2008

**From:** Matt Tucker, Zoning Administrator

**Subject:** 223 West Gilman Street

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**Present Zoning District:** R6

**Proposed Use:** Remodel two family structure and construct rear two-story addition for Synagogue with accessory 2<sup>nd</sup> floor apartment.

**Conditional Use:** 28.08(7)(c) 1. Synagogues are a conditional use in the R6 District.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide 2 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.
2. The site plan must be updated to show the required 210 sq. ft. of useable open space on the site plan. Please note the upper balcony area cannot be counted toward the useable open space requirement, as only a portion of this area is considered qualifying useable open space. The site must provide a minimum 10' wide, 200 sq. ft. unobstructed open space area on the ground in addition to the upper balcony area. Please contact Zoning staff to discuss this requirement.
3. Provide a detail drawing for the proposed dumpster enclosure, including materials for the screening fence/wall and gate.
4. Please note: The parking spaces are for the use of the 2<sup>nd</sup> floor occupancy only.

**ZONING CRITERIA**

| <b>Bulk Requirements</b> | <b>Required</b>      | <b>Proposed</b>        |
|--------------------------|----------------------|------------------------|
| Lot Area                 | 3BR Apt: 750 sq. ft. | 5,148 sq. ft.          |
| Lot width                | 50'                  | 39' (existing)         |
| Usable open space        | 210 sq. ft.          | Not shown on plans (2) |
| Front yard               | 20'                  | existing               |
| Side yards               | 7'                   | 7'                     |
| Rear yard                | 30'                  | 30'                    |
| Floor area ratio         | 2.0                  | less than 2.0          |

| <b>Site Design</b>         | <b>Required</b>  | <b>Proposed</b> |
|----------------------------|------------------|-----------------|
| Number parking stalls      | 0 (Central area) | 2 (4)           |
| Accessible stalls          | n/a              | 0 (4)           |
| Loading                    | 0                | 0               |
| Number bike parking stalls | 2                | None shown (1)  |
| Landscaping                | Yes              | Yes             |

| <b>Other Critical Zoning Items</b> |   |
|------------------------------------|---|
| Urban Design                       | DDZ 4 (n/a)                                   |
| Historic District                  | National Register of Historic Places District |
| Landmark building                  | No  |
| Utility easements                  | None shown                                    |
| Barrier free (ILHR 69)             | No (4)  |
| Refuse Enclosure                   | Yes (3)                                       |

With the above conditions, the proposed project **does** comply with all of the above requirements.



# CITY OF MADISON FIRE DEPARTMENT

## Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295  
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: October 24, 2008  
TO: Plan Commission  
FROM: Edwin J. Ruckriegel, Fire Marshal  
SUBJECT: **223 W. Gilman Street**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

### **GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

2. No comments on the change of use.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan