



Project Address: 114 Van Deusen Street
Application Type: Conditional Use Alteration
Legistar File ID # [30655](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Erin Trondson; Woodland Montessori School; 1124 Colby Street; Madison, WI 53715
Contact: Jim Hansen; Woodland Montessori School; 1124 Colby Street; Madison, WI 53718
Property Owner: Lisa Geraghty, Board President; 2238 West Lawn Avenue; Madison, WI 53711

Requested Action: The applicant requests approval of a conditional use alteration to modify playground space and eliminate a parking area for an existing Montessori school.

Proposal Summary: The applicant proposes to remove on-site parking stalls for the purpose of expanding an existing play area.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [M.G.O. Section 28.183]

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request to modify playground space and eliminate a parking area for an existing Montessori school at 114 Van Deusen Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The subject property is located on the north side of Van Deusen Street. Two properties comprise the Woodland Montessori site, 114 Van Deusen (the subject site) and 1124 Colby Street, which is the larger parcel at the corner of Van Deusen and Colby Streets. The site is within Aldermanic District 13 and within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The Woodland Montessori “campus” includes two buildings. The converted house on the subject site is the smaller of the two buildings and referred to as the “Toddler House” in the attached materials. The two parking stalls proposed for removal are at the rear of this structure. The applicant has noted these were installed as required, though never utilized for parking. Access to the parking area is through a shared driveway that opens onto Homer Court, west of the site. However, an existing tree on an adjacent property blocks access to the parking area.

Surrounding Land Use and Zoning:

North: Single-Family Homes, zoned TR-C2 (Traditional Residential Consistent 2) district;

South: Single-Family Homes, zoned TR-C2 (Traditional Residential Consistent 2) district;

East: Single-Family homes across Colby Street zoned TR-C2, with the City of Madison Sayle Street Public Works facility, zoned SE (Suburban Employment); and

West: Single-Family Homes, zoned TR-C2 (Traditional Residential Consistent 2) district;

Adopted Land Use Plan: The Comprehensive Plan recommends low density residential development for the subject site and surrounding properties.

Zoning Summary: The property is zoned TR-C2 (Traditional Residential-Consistent 2). Under the code, two parking stalls would be required.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Previous Approvals and Actions

The Woodland Montessori School first received conditional use approval in 1978 for the larger corner property at 1124 Colby Street. The smaller subject property was added to the site after receiving conditional use approval in 1997. It is referred to in the attached materials as the "Toddler House." The two parking stalls were required as part of an addition to the Toddler House in 1999.

In January 2012, the Plan Commission considered a complaint from a next door neighbor (adjacent to the parking area) under the Commission's "Continuing Jurisdiction" authority. The complaint alleged violations of several conditional use standards, including concerns regarding noise from children playing outside. As a reference, the report from the Zoning Administrator on that item is attached. The entire complaint file can be accessed online at: [Legistar File 24748](#).

As part of the review of the complaint, the Zoning Administrator noticed the subject property was not operating in accordance to the approved site plan. Specifically, he notes the two required parking stalls were installed, though inaccessible due to a tree on the adjacent property. He further observed the area was being used for some outdoor activity associated with the Toddler House. He recommended that the Woodland Montessori apply for a conditional use alteration to formally request removal of the parking area, allow the use of the space for recreational activities, and install screening to mitigate impacts on surrounding properties. The Zoning Administrator otherwise was of the opinion that the property was operating in compliance with the conditional use standards.

The Plan Commission accepted the complaint and recommended the Montessori School address the concerns as recommended in the staff report from the Zoning Administrator. The motion passed unanimously. The Plan Commission did not make a determination that the complaint indicated there is a reasonable probability that the subject conditional use is operating in violation of the approved conditions or conditional use standards as stated in the Zoning Code.

As a reference, staff have included a copy of the previously approved site plan from 1999.

Project Description

The applicant requests approval of a conditional use alteration to remove two existing parking stalls at the rear of the site. The parking area would be replaced by a play area on the paved area. While details are not provided, the applicant indicates that a screening fence will be installed to dampen sound and provide a visual barrier between the properties. The applicant also notes that they have a transportation plan, which was required as a condition of approval with the original conditional use.

Analysis and Conclusion

This request is subject to the conditional use standards of Section 28.183. Based on the information provided by the applicant, staff believes that approval of the changes will formally acknowledge how the site has been operated. Since the applicant has never relied on these two stalls to provide parking for the facility, their removal is not anticipated to create new traffic or parking impacts. Staff believes that the suggested fencing improvements could help mitigate noise concerns and conflicts that have previously been raised. Staff notes that the Plan Commission continues to maintain continuing jurisdiction authority over this conditional use should additional concerns arise.

Recommendation

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request to modify playground space and eliminate a parking area for an existing Montessori school at 114 Van Deusen Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Planning Division (Contact Kevin Firchow, 267-1150)

1. The applicant shall provide additional detail on the proposed fencing described in the letter of intent, for staff approval.
2. That the applicant provides a copy of the transportation plan referenced in the letter of intent.

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

3. Revise the plans to show linework depicting the existing 10ft wide private ingress-egress shared joint driveway agreement over the northerly 10ft of 114, 118 & 122 Van Deusen St. Reference the recorded agreement Document No. 673824 on the plan as well.

4. Revise the plans to show the linework depicting the existing Setback Easement Agreement between 114 & 118 Van Deusen St. Reference the recorded easement agreement Document No. 2870636 on the plan as well.

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

NOTE: Email file transmissions preferred addressing@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. (POLICY and MGO 37.09(2) & 37.05(4))

6. 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. (POLICY and MGO 37.09(2)) 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).

Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

This agency submitted a report with no recommended conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

7. Parking reduction, 2 stalls being removed that where approved in 1999.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency submitted a report with no recommended conditions of approval.

Water Utility (Contact Dennis Cawley, 261-9243)

8. This property is not in a wellhead protection district. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

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Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.