



**Occupy Madison Inc. Tiny Home Village & Workshop
Letter of Intent
February 19, 2014**

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Name:

OM Village

Why available conventional zoning won't work and a planned development project is appropriate:

Planned developments should be used rarely, however none of the base zoning categories can address this infill development due to the unique uses and the variety of uses we are proposing. In fact, to some extent, we have yet to agree on what to name what we are doing. Initially we thought we were an artisan workshop (not manufacturing) and would have a portable shelter mission as an accessory use to that workshop use. We thought this could be handled with a change to the zoning code to allow portable mission shelter in NMX zoning and a conditional use to park the tiny houses there. However, in consultation with staff we concluded that a planned development would work best for the project in the long term and allow all the uses we have planned in a way that works best for the neighborhood. The decision was made due to the unique nature of our project and the multiple uses.

Portable Shelter Mission

Our primary problem is that the ordinance as written appears near impossible to comply with:

Portable Shelter Mission.

- (a) The use shall be accessory to a religious institution or a non-profit organization.
- (b) The yard requirements for the most restrictive multi-family use in the district apply. If there are no multi-family yard requirements in the district, yard requirements for non-residential use shall apply.
- (c) Where the principal use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.
- (d) The owner shall submit a Management Plan for the location of sleeping areas, bathrooms, and parking spaces. The Plan shall be reviewed by the Traffic Engineer and the Zoning Administrator
- (e) Property owner shall obtain a campground permit pursuant to Wis. Admin Code § DHS 178.05 and Wis. Stat. § 254.47 if there are four (4) or more units.

Problems encountered in trying to place tiny homes include:

- Portable mission shelters (parking tiny houses or "camping units" on private property) are only allowed as an accessory use to a religious institution or non-profit.
- Churches in the downtown area do not have extra parking spaces. Parking is at a premium. They also tend not to have excess property.
- Churches in the next ring out have overflow parking, but it tends to be on a separate parcels and therefore are not accessory to the religious institution.
- Churches farthest out have transportation issues, are not located near amenities and leave the people living in the tiny homes isolated.
- Not all zoning categories churches are located in allow for the conditional uses.
- Having 3 houses on a parcel complicates it for the volunteers who are working with the individuals.
- If there are 4 tiny houses, it seems unlikely the churches can meet the requirements of the campground permit as portable toilets are not acceptable to Public Health Department.
- At this point we are unclear if the State would require or allow a campground permit.
- The only base zoning that allows a non-profit to have a portable mission house is in TSS zoning. However, that would not allow the limited production and processing/light manufacturing for the workshop.

To date, we have been unable to find a religious institution with available land on the same parcel as the church to create the accessory use or that has appropriate zoning to park the houses on despite several

promising leads. The only other place we can park the tiny houses is on public streets which has its own complications or in a campground. Campgrounds are not allowed anywhere in the City of Madison except as pre-existing uses. The only legal campground in the City of Madison that we are aware of is Lake Farm Campground and that costs \$17 per night May - October.

Underlying issues for Planned Developments

Planned developments are supposed to facilitate development of land in a integrated and innovative fashion. We believe our project is innovative in that is the only development of this nature in the nation. Our project mixes the tiny house movement, with the self-governed homeless villages and encampments mostly found in the pacific northwest, with the sweat equity element from Habitat for Humanity to create a cooperative housing situation and does it in a way that is appropriate for the Wisconsin weather while assisting individuals in pull themselves out of homelessness.

This development is more advanced than the villages in the northwest. It has flush toilets and showers in the building instead of portapotties. It has more than one hose as a source of water, instead it has indoor plumbing and showers in the building and composting toilets and potable water systems in the houses. There is electricity and solar that operates all our tiny homes and they are heated with propane or electricity. There is an indoor kitchen facility instead of an outdoor pantry and cooking over fire.

The project is innovative because it has a nontraditional residential area for 9 tiny houses, an on-site workshop for building the houses, a greenhouse and raised bed gardens as well as a retail area for selling OM Goods and vegetables all combined into one campus. In the future other amenities such as a food cart, chickens, bees, a day labor service, a tool lending library and other services for the neighborhood or uses listed as accessory later in this document may be added. This is being done with (formerly) homeless individuals and others in a way that is affordable and not dependent on government funding. The residents have a large stake in the success of the development. The community is incorporated into the project through volunteers and financial contributions from the community.

Objectives of Planned Developments

The project addresses the following objectives of planned developments:

- Promotion of **green building technologies & sustainable development** - The development utilizes solar power, saves water through the use of composting toilets, uses repurposed pallets for the siding on the houses and other building materials, creates OM Goods from repurposed materials and sells the products for profit to build more homes and creates raised bed gardens and a greenhouse for growing food.
- **Low-impact development techniques for stormwater management** - This site is challenging due to the stormsewer not being adequate to handle the water in some storm events which creates flooding in the area several times per year. The site is currently capped due to closed leaking underground tanks. The project adds raised bed gardens and landscaping on top of the impervious surface in hopes to absorb stormwater on the site and the group is anxious to explore alternative approaches to solving the flooding issues in the area.
- **Integrated land uses (residential, manufacturing, commercial and public facilities) along corridors and transitional areas** - This land is located on the edge of the Emerson-East Neighborhood on the Highway 113/Packers Ave corridor and this project establishes multiple uses in the transition area from the residential neighborhood to the manufacturing area on the opposite side of the corridor. The project incorporates limited processing and production and/or an artisan workshop with untraditional residential uses and urban agricultural (community/market gardens) and commercial uses (general retail). See specific list of uses and accessory uses.
- **Adaptive reuse of private land** - The project repurposes a 1947 gas station currently used as an auto repair shop into a mixed-use manufacturing, commercial, residential and urban agriculture site and adds green space to a site with currently little to no green space.

- **Open space and public facilities** - The site is intended to be a community gathering space which will be enhanced with our food cart and retail sales and potential community garden space if 2040 E. Johnson St. can be purchased.

Consistency with goals, objectives, policies and recommendations of the Comprehensive Plan and adopted neighborhood plans, corridor or special area plans.

The project is in not entirely inconsistent with the comprehensive plan and assists in accomplishing many of its goals. The future land use is listed as LDR but considered in its entirety with the other goals in the plans this use seems feasible, especially given its location in an area that is transitional. The neighborhood plan provides little to no guidance for this piece of property as it is on the furthest western edge of the plan and since the time the current plan was written the Comprehensive Plan was passed and the new zoning code and map was adopted after the plan was created. It conflicts with the Comprehensive Plan because it has it as a commercial zoning. While the project may accomplish some of the goals in the neighborhood plan, none of the specific recommendations apply to our property or area.

Other

This site will not adversely affect the economic health of the city and should not increase the cost of municipal services. In fact, the project, by reducing homelessness, will decrease the costs to the city and county over time.

One of the main attractions of this site is its access to public transportation and the walkability and ease of access by bicycle for our volunteers and residents.

The project changes very little of the architecture of the building or the building form, however, any additions to the site are being designed to be compatible with the surrounding land uses, including creating a ornamental/decorative fence, landscaping and screening to better blend in with the neighborhood and create a softer presence than the existing uses of the auto repair business currently located there.

Construction Schedule:

The phasing of this project is dependent upon fundraising. Each phase is independent of the others and the uses can continue until sufficient funds are raised for additional phases. Phasing may or may not be exactly as stated depending upon the funding and pro bono or in-kind services we may receive, but it is meant to indicate the general priority order of improvements.

Phase one will be cleaning and repairing (roof, windows, restrooms) the building, moving our workshop there, establishing a screened/fenced area for lumber storage (currently shown on site plan as conference room), building the greenhouse and raised bed garden areas, beginning the fence/art/mural project, opening the retail store and working on the landscaping and gardening. Two restrooms will be restored to working order and a third restroom with a shower will be added.

Phase two we would do the exterior electrical work, close the curb cuts, install the kitchenette, demolish the shed, continue landscaping activities.

Additional phases and uses may include a food cart, adding office/conference and retail space, adding the 4th accessible restroom and accessible shower, chicken coop, bees, the purchase 2040 E Johnson for additional gardening, potential community/market gardens, OM Works/day labor program, bike sharing and a tool lending program.

Description of Existing Conditions:

The existing use is Sanchez Motors auto repair. The site is stuffed full of inoperable cars and various car parts and tires. The building has not been taken care of and has broken windows, roof needs repair and one of the restrooms is inoperable/inaccessible. See attached photos and survey (including legal description). A new survey will be completed on Friday.

Project Team:

Architect: Edward Kuharski, Architect, AIA, LEED AP - BD+C, Green Design Studio
Landscape Consultants: Madison Permaculture Guild, Bob Klebba Morningwood Farms and Janet Parker
Landscape Architect: Richard Slayton
Surveyor: Mark Gerhardt, Badger Surveying
Contractor: Chris Quandt, Bachmann Construction
Environmental Review: Maria Powell
Muralists and Artists: Maya Lea, Sharon Kilfoy and Wendy Schneider
Board Members: Allen Barkoff (retired), Russ Albers, Luca Clemente (PhD candidate), Carol Weidel (retired), Bruce Wallbaum (HVAC Sales), Linda Ketcham (Exec. Dir. Madison Urban Ministry), Noah Phillips (UW Student), Brenda Konkel (Exec. Dir. Tenant Resource Center), Betty Ybarra, Chris Derrick, Jen Thompson (Marketing), Trina Clemente (Human Services)
Shop Managers: Steve Burns (MATC Professor, PhD in structural engineering), Rob Bloch (Electronic Technician), Kieth Valiquette (retired small business owner and CPA), Bruce Wallbaum, Luca Clemente, Brenda Konkel, Allen Barkoff
House Design: Steve Burns and Bruce Wallbaum

Uses:

- The primary uses are:
- Light manufacturing/ light production and processing and/or an artisan workshop including limited outdoor assembly (finishing the roof and interior work that must be done after roof is installed).
 - Commercial uses - a general office for our non-profit including counseling/community service organization or human services program office.
 - Retail includes a small general retail use (hand-crafted goods and furniture), farm stand or farmers market, garden center, outdoor display or sales events and limited potential food sales.
 - Residential cooperative village/living space for 9 tiny (98 sq ft) homes located approximately as seen on the attached site plan.
 - Market or community gardens, including enclosed composting areas and a greenhouse/nursery .

Accessory Uses:

Accessory uses may include: Service business (small goods repair), bicycle sharing facility, food cart and possible catering or coffee shop/tea house or food and related goods sales including an outdoor eating area or outdoor cooking operation, mobile grocery store, lumberyard, outdoor vending machine, keeping of chickens and/or bees, mission house, portable shelter mission, solar or wind energy systems and outdoor storage.

Square Footage (Uses and Buildings):

Total site square footage- 13,050 sf	Total building square footage - 2385 sf
Existing Total - 1285 sf	Additions Total - 1100 sf

Square footages:

Workshop - 940 sf	Office - 150 sf	Conference - 400 sf	Retail - 180 sf
Kitchen/Lounge - 160 sf	Supply Storage - 230 sf	Rest Rooms/Showers - 200 sf	Corridor - 125 sf

Capacity Limits:

Workshop = 12	Offices = 2		Phase 1	14
Reception/retail = 4	Kitchen lounge = 8	Community room = 20	<u>Future phases</u>	<u>32</u>
			Total all phases	46

Parking and Loading Spaces:

One of the most important features of this site is the ability to get to the site easily by bus or bike, so car parking will be greatly reduced from volunteers. Many of the volunteers will also come from the neighborhood and they can easily walk to the site. It is anticipated that tiny house stewards would not have more than 5 vehicles and they will utilize on-street parking. Retail parking is expected to be minimal. The two parking space on site will be for visitors.

Bike Parking:

Will be provided near each tiny home as well as a bike parking area for visitors.

Hours of Operation:

Hours of operation will be 7 days a week 8am - 10pm. Quiet hours in the residential area will be 10pm - 8am. After 8pm, excessively loud noises from the shop will cease and garage doors will remain shut. Odors, noise, vibration, glare and other potential side effects of manufacturing processes shall not be discernible beyond the property line.

Number of Dwelling units/Bedrooms/School Age Children:

Our nontraditional housing units don't necessarily meet the definition of a dwelling unit and aren't measured in terms of bedrooms. With 9 tiny homes we are at 30 units/acre. We do not anticipate a significant change in number of school age children, however it is difficult to predict and we cannot discriminate based on family status.

Description of Trash removal and storage, snow removal and maintenance equipment:

Initially trash will be handled with trash bins provided by the city, as the village grows we will provide a dumpster to be enclosed by a fence. Snow removal will be handled by residents of the site.

Value of Land:

Purchase price: \$110,000

Estimated Total Project Cost:

\$200,000 - 250,000

Number of Construction & Full-Time Equivalent Jobs Created:

None. The project is 100% volunteer run and we will do much of the work ourselves unless we need to hire licensed professionals for portions of the work.

Public Subsidy Requested:

No traditional development subsidy is being requested. Occupy Madison, Inc has applied for a SEED grant (greenhouse, raised bed gardens and planting materials) and an Emerging Opportunities Grant ("services"). We are considering applying for a placemaking grant as well as a Madison Arts grant.

Additional Development Details:

Campground Requirements

The state has determined the project is not a campground and does not need a campground permit, however we recognize that some of the elements of the campground requirements may provide useful guidance for the project and are looking to the Public Health Department to provide recommendations. Primary requirements for a campground include restrooms, waste water disposal, water sources and trash removal and we believe we have included those in the site as appropriate.

Environmental

Underground tanks were removed from the site and the remediation system was removed in 2000 so the site was closed by the DNR. There is some residual contamination and that is why the gardening for food will be raised bed gardens . Additionally the site is capped and we are avoiding further disturbance of the soil. City Engineering will not require a Phase I or II study. Volunteers are reviewing the DNR records at this time and Occupy Madison, Inc. is committed to providing a safe place for the residents of this community.

Electricity

120 volt service with GFI will be provided at each of the tiny home locations.

Fire Department Requirements:

We understand and agree to the following requirements.

- Each "home" must have a smoke detector, carbon monoxide detector and fire extinguisher.
- Only listed vented gas (LP or natural) heaters or electric heat will be permitted in the "homes".
- The site must include an outdoor location to store and secure LP gas containers.
- No tents, canopies or tarps will be permitted on the site.
- No outdoor fires will be ignited or kindled on the site. Grills may be used for cooking.
- Provide and maintain a vertical clearance of 13'-6" over the drive lanes.
- A gate and curb cut shall be provided to Third Street. The gate may be kept closed and secured. The FD must have access through the gate.
- Internal drive aisles must be at least 11 feet wide.

Flooding

There are several flooding events in the area each year. The storm sewer was upgraded in 1997 and is as big as City Engineering can fit in the area. The area is only 2 feet above the flood state for Lake Monona/Yahara River and the drainage pipe is partially to fully under water at times.

Lighting

Will be on the building or tiny houses and fully shielded.

Open spaces

The area nearest Johnson St. is intended to be raised bed gardens, benches and a social area for congregating and relaxing for residents, volunteers and community members.

Ornamental Fence

A group of neighbors, gardeners, artists and others are working to design a fence that will be an art project that incorporates murals, plantings and art. The fence will provide security, but also send a message about the tiny house village process. Details will be available at the time of the Urban Design Commission meeting.

Raised Bed Gardens

The green areas designated on the site plan in the residential areas will be planting areas built on top of the existing pavement to retain the cap on the site and still provide green space.

Signage

The sign on the southeast corner of the lot will be removed, minimal signage may be utilized in the retail area.

Tiny House Standards

Please see attached tiny house plans for dimensions. The houses have metal roofing, cedar trim, re-purposed pallet siding, MDO panels, steel frames, insulated windows and doors and a wood deck. There is also an option to have metal siding or wood shingles (locally milled from local trees) on future houses as available.

Management Plan

This is a self managed cooperatively run community. Residents are stewards of the tiny houses (neither renters or owners), sign a contract and have the right to stay in perpetuity as long as they follow the rules and participate in the cooperative community. Stewards are allowed to make decisions about the home including painting, interior layout and features, etc. If they don't follow established rules, they can lose their stewardship and right to occupy the tiny house. The residents of the community are responsible for many of the decisions in the community. They are guided in decision making by a board of directors which ultimately has responsibility for the activities of the site and hears all appeals. Residents of the community are expected to handle day to day decision making as well as propose additional projects and changes to policies. For further information please see the following documents:

- Mission and Vision: <http://occupymadisoninc.files.wordpress.com/2013/07/vision-and-mission-statements-trina.docx>
- By-laws: <http://occupymadisoninc.files.wordpress.com/2013/07/2013-06-29-om-bylaws1.doc>
- Tiny House Contract: <http://occupymadisoninc.files.wordpress.com/2013/07/a-tiny-contract-for-a-tiny-house.pdf>
- Conduct Policy: <http://occupymadisoninc.files.wordpress.com/2013/07/conduct-policy.pdf>
- Shop Rules: <http://occupymadisoninc.files.wordpress.com/2013/07/shop-rules.pdf>

We are aware of the concerns of people in the community about who will be living on the site. Due to HIPAA concerns and the risk of violation of people's civil rights, many of those questions are extremely difficult to answer. We aim to be a community free from discrimination based on all of the City of Madison protected classes, including people with disabilities. People who may obtain a tiny home have to work an initial 32 hours (work duties will be found regardless of ability and skills), apply and then work 500 hours to earn their home. We believe this vigorous process allows us to evaluate if the person will be appropriate for this community. Some of the questions people have may be answered in these documents:

- Become a Member: <http://occupymadisoninc.files.wordpress.com/2013/07/how-to-become-a-member-of-occupy-madison.pdf>
- How to get a tiny home: <http://occupymadisoninc.files.wordpress.com/2013/07/how-to-get-a-tiny-house.pdf>
- Application: <http://occupymadisoninc.files.wordpress.com/2013/07/initial-questionnaire-for-om-inc.pdf>

We are also aware that this is a common concern about "services" that will be provided on the site. We have yet to have anyone define what they expect those "services" to be or how we can provide for "services" for 9 - 12 unique individuals with varying needs. We believe that while the Dane County Human Services programs are inadequate for many reasons, the services available to people on the site are the same as anyone else in Dane County. Due to these concerns, we have applied for an Emerging Opportunities Grant for \$10,000 for case management for the people on the site or on the waiting list that might identify needs. We do believe that the program we offer, while not traditional, allows people to do meaningful work and helps restore self-esteem and dignity. We have computers available on site and support our friends in achieving their goals. We also believe that the work of creating your own home is very healing and affirming. Finally, we know that Housing First is important for people to move on to addressing other issues and without that stability it is hard to achieve other goals. We have seen dramatic changes in people's behavior as a result of being involved with our project and with the hope of getting out of homelessness.

The living area will be fully secured by a fence after 10pm in the evening. The remaining portion of the lot will be open but there may be gates installed to secure that area as well if necessary. Residents will be community ambassadors during hours of operation and will provide security, donation management, retail assistance, etc. Residents will also be on-call for any issues that occur between 10pm and 8am.

We have an extensive series of FAQs are under continuous revision here: <http://occupymadisoninc.com/om-village-2046-e-johnson-st/faqs/>

The documents listed here are revised from time to time and are being revised a result of input from the community. We can bring current documents to the UDC , Plan Commission and Council meeting if requested.

Continuing Jurisdiction:

- The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses. This authority is in addition to the Zoning Administrator's authority under Sec. 28.202.
- Any citizen, the Zoning Administrator, or other official may file a written complaint with the Plan Commission that one or more conditions of a conditional use permit have not been completed, or are being violated.
- The Plan Commission shall initially determine whether the complaint indicates a reasonable probability that the subject conditional use is in violation of a condition of approval. If the Plan Commission determines there is a reasonable probability of a violation, it shall conduct a hearing after giving notice as provided in MGO 28.183(4)
- The Plan Commission may, in order to bring the subject conditional use into compliance with the conditions previously imposed by the Plan Commission, modify the existing conditions and impose additional reasonable conditions. If no reasonable modification of the conditional use can be made that are consistent with the standards in MGO 28.183(6), above, the Plan Commission may revoke the conditional use permit and direct the Zoning Administrator and the City Attorney to seek elimination of the subject use.
- An appeal from a decision of the Plan Commission may be taken to the Common Council as provided by MGO 28.183(5)(b).