

Summary of Issues/Concerns and Recommendations  
for City of Madison Conditional Use Permit Process for  
Dane County's Proposal for a Day Resource Center on the Messner Site

TLNA Steering Committee  
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Applicable excerpts from the City of Madison Conditional Use Approval Standards, the East Washington Capitol Gateway Corridor Plan, and the Tenney-Lapham Neighborhood Plan are referenced in the table. Explanatory notes follow the table.

<b>- Process and Proposal -</b>	
<b>Issues/Concerns</b>	<b>Recommendations</b>
<p>County's dismissal of neighborhood:</p> <ul style="list-style-type: none"> <li>- Lack of trust: there have been changes in the plan, the process, capacity, facility size, etc. The lack of permit for interior demolition and design work led to uncertainty in the process.</li> <li>- Appears that County doesn't care about the neighborhood's concerns and input to the process.</li> </ul>	<ul style="list-style-type: none"> <li>- Treat neighborhood as a partner and include neighborhood in all processes as the Day Resource Center (DRC) is designed, operator is chosen and services are chosen.</li> <li>- Secure operator before applying for CUP so that neighborhood can recommend conditions related to services that will be provided</li> </ul>
<p>United Way may not be transparent with focus groups that are helping to determine the operator, services, and funding partners.</p>	<p>Ensure that focus group meetings are open and include all stakeholders and that all stakeholders have a say in operator selection and services provided.</p>
<p>Long term funding for DRC will not be secure and there is not enough initial funding.</p>	<ul style="list-style-type: none"> <li>- Do not open unless all services and staff are properly funded.</li> <li>- If funding levels or services change, CUP should be revisited.</li> </ul>
<p>Will all issues be addressed to the operator? What about the County, the City and United Way – will they have any culpability with problems?</p>	<p>One entity and contact should be responsible for DRC.</p>
<p>RFP and the County do not require ongoing neighborhood engagement after the DRC opens</p>	<p>DRC operator/County will provide an annual report to City and neighborhood:</p> <ul style="list-style-type: none"> <li>- What's going well, what impacts has the DRC had?</li> <li>- Quarterly stakeholder meetings with DRC operator, County, City, funders, community, school, TLNA, Tenney Nursery, local businesses to hear, address and take action on any issues that are caused by the DRC and are impacting the neighborhood.</li> </ul>

**- Impacts on City Economy and Neighborhood Economy -**

Issues/Concerns	Recommendations
<p>Lost opportunity to increase City's tax base for this property. Could be on the order of \$200k per annum based on nearby developments.</p> <p>Property values of adjacent properties may decrease.</p> <p>Lost opportunity to develop the site and adjacent areas for businesses and housing that is complementary to the goals of the Capital East Build Plan and the Tenney-Lapham Neighborhood Plan.</p>	<p><b>S4</b></p> <p><b>S3</b></p> <p><b>S3, S4</b> <b>CGCP1, CGCP2</b> <b>TLNP1</b></p>
<p>Negative visual impact on gateway into the city due to clients and associated persons congregating outside.</p>	<p><b>S3, S4</b> <b>CGCP2</b> <b>TLNP2</b></p>

**- Impacts on Neighborhood and Neighborhood Businesses -**

Issues/Concerns	Recommendations
<p>How to assess long-term impacts on neighborhood and businesses?</p> <ul style="list-style-type: none"> <li>- (specific impacts listed below)</li> </ul>	<p><b>S1, S3</b></p> <p>Baseline metrics</p> <ul style="list-style-type: none"> <li>- Gather metrics in advance of the DRC from neighbors, businesses, schools (financial impact on businesses, police calls, etc.).</li> <li>- Gather metrics on a regular basis.</li> <li>- Use as the basis for program evaluation.</li> <li>- Use as input for potential actions by Plan Commission using continuing jurisdiction.</li> </ul>
<p>Neighborhood sidewalks and streets:</p> <ul style="list-style-type: none"> <li>- Clients congregating on the sidewalk may inhibit pedestrian safety or comfort</li> <li>- Clients congregating on the sidewalk may make children going to school uncomfortable</li> <li>- Same concerns about those attracted to the DRC area who are not clients (experience with earlier shelters implies there will be others attracted to the neighborhood)</li> <li>- Clients of area businesses will suffer the same effects, thereby impacting profits.</li> </ul>	<p><b>S1, S3, CGCP2</b></p> <p>Provide plan for opening and closing times that discourage congregating on the sidewalk:</p> <ul style="list-style-type: none"> <li>- Sufficient transportation provided</li> <li>- Flexible transportation times</li> <li>- Waiting area on site</li> <li>- Free bus passes/tickets for clients when supplied transportation is unavailable or when alternate destinations are needed.</li> </ul>
<p>Neighborhood yards and properties:</p> <ul style="list-style-type: none"> <li>- More trespassing in the neighborhood</li> </ul>	<p><b>S1, S3</b></p> <ul style="list-style-type: none"> <li>- Additional security and/or police patrol in</li> </ul>

<ul style="list-style-type: none"> <li>- People hanging out and sleeping in yards/carports, in parks.</li> <li>- Smoking materials, trash, personal belongings, feces, bicycles, etc., will be left in neighborhood yards and business properties.</li> </ul>	<p>neighborhood.</p> <ul style="list-style-type: none"> <li>- Add Park Ranger support in nearby parks.</li> <li>- Increase park staff and city staff patrol and cleanup of all public areas.</li> <li>- DRC will provide a facility and neighborhood maintenance plan to ensure that the property and surrounding neighborhood remains free from litter, cigarette butts, abandoned personal belongings and human waste.</li> </ul>
<p>More police calls at and near the DRC, thereby degrading the quality of life.</p>	<p><b>S3</b> Request emergency services to silence sirens when called to DRC</p>
<p>How will the DRC handle disturbances at the DRC, whatever the cause? How will those disturbances be handled if the DRC is closed?</p>	<p><b>S1, S3</b></p> <ul style="list-style-type: none"> <li>- DRC operator will provide a plan that details how disturbances/altercations will be dealt with at DRC and surroundings, both during operating hours and off-hours.</li> <li>- DRC will employ a paid, professional security firm to oversee the daily activities at the center to ensure compliance with the conditional uses of the DRC.</li> </ul>
<p>Outdoor smoking at the HRC will negatively affect the environment of adjacent properties.</p>	<p><b>S1, S3</b></p> <ul style="list-style-type: none"> <li>- Confine smoking to an area that is away from adjacent properties and the front sidewalk.</li> <li>- Cigarette smoke from any outdoor smoking area must not be detectable on adjacent properties or front sidewalk.</li> </ul>
<p>Concern that the DRC will have a negative impact on neighboring businesses.</p> <ul style="list-style-type: none"> <li>- Business along pedestrian routes between DRC and downtown/other service providers could also see impact</li> <li>- Grocery stores, restaurants/bars and others open to the public could become waypoints between downtown/other service providers and the DRC</li> <li>- DRC Clients will congregate at the bus stop in front of Pasqual's Cantina.</li> </ul>	<p><b>S3, CGCP1</b></p> <ul style="list-style-type: none"> <li>- Provide fencing along lot line between Pasqual's and DRC.</li> <li>- Provide DRC contact info on and off hours to all nearby businesses and those between downtown/other service providers.</li> <li>- DRC operator will provide annual informational/training sessions to area businesses describing the DRC, its clients, its services and procedures for handling issues both during and after DRC hours.</li> <li>- Move bus stop away from Pasqual's Cantina entrance or other nearby businesses.</li> </ul>
<p><b>- Impacts on Tenney Nursery -</b></p>	
<p><b>Issues/Concerns</b></p>	<p><b>Recommendations</b></p>
<p>Attendance at Tenney Nursery Parent Center</p>	<p><b>S3, CGCP1</b></p>

(TNPC) will drop, forcing the business to close.	Evaluate enrollment data twice per year. Should the enrollment drop more than 10% compared to the 5 years prior to the opening of the DRC, the County will make up the revenue difference.
There were multiple instances of trespassing at the Rainbow Project during the temporary shelter on E. Washington. This could happen again at TNPC.	<b>S1, S3</b> The County will pay for the TNPC to hire a professional firm that deals with issues of school security and pay for whatever recommendations the firm develops. Examples to include: <ul style="list-style-type: none"> <li>- Provide better access control to building</li> <li>- Upgrade fencing</li> <li>- Upgraded lighting in carport and elsewhere</li> </ul>
More police calls at and near the DRC, thereby degrading the quality of life - TNPC will hear the sirens from these calls.	<b>S3</b> Request emergency services to silence sirens when called to DRC
Outdoor smoking at the HRC will negatively affect the environment of TNPC grounds/play areas.	<b>S1, S3</b> <ul style="list-style-type: none"> <li>- Cigarette smoke from any outdoor smoking area must not be detectable on TNPC playground.</li> <li>- Confine smoking to an area that is away from TNPC.</li> </ul>
Language and conversations inappropriate for children will occur in outdoor areas and will negatively affect TNPC outdoor environment as well as sidewalk passage for children.	<b>S1, S3</b> Any outdoor space where adults might engage in conversation that is not child-appropriate must be located such that the sound is 100% not detectable on TNPC playground.
<b>- Onsite Operations -</b>	
<b>Issues/Concerns</b>	<b>Recommendations</b>
How will the DRC handle disturbances outside or off the DRC property, whatever the cause? How will those disturbances be handled if the DRC is closed?	<b>S1, S3</b> DRC will employ a paid, professional security firm to oversee the daily activities at the center and on its grounds, and patrol the surrounding neighborhood to ensure compliance with the conditional uses of the DRC.
Will drug and/or alcohol use or those under the influence be allowed at the DRC?	<b>S1, S3</b> <ul style="list-style-type: none"> <li>- Plan should include a ban on alcohol and drug use at the DRC.</li> <li>- Plan should include how to handle clients who are allowed entrance but later determined to have behavior problems.</li> <li>- Clients who are asked to leave should be transported away from the neighborhood.</li> </ul>

<p>How will neighboring residents and businesses be able to contact the DRC in case of issues, questions or a desire to volunteer?</p>	<ul style="list-style-type: none"> <li>- DRC will publish a phone number that will be answered 24/7 by a live person. Must guarantee a response to the caller within 1 hour.</li> <li>- DRC will display public exterior signage indicating the purpose of the building, the hours, and contact information.</li> </ul>
<p>Staff Issues:</p> <ul style="list-style-type: none"> <li>- Paid staffing ratio at the DRC may not be adequate for needs and number of clients.</li> <li>- Stable, qualified staffing may not be funded.</li> <li>- The temporary shelter employed 2 FTE at \$14/hour – is that sufficient?</li> </ul>	<p>Staffing must meet industry standards and be commensurate with services provided.</p>
<p>Worries about the number of clients who will be served and if the facility and services will be adequate.</p>	<p><b>S1</b> DRC operator will provide a plan for those times when the facility capacity is exceeded</p>
<p>Is transportation comprehensive enough?</p> <ul style="list-style-type: none"> <li>- Many services will not be located at the DRC (bona fide meals, full storage, sleeping, any referred services not provided on site).</li> <li>- Clients will necessarily come and go many times throughout the day.</li> <li>- Four trips/day is not enough to serve population and their needs.</li> </ul>	<ul style="list-style-type: none"> <li>- Van schedule should be sufficient, frequent and flexible.</li> <li>- Free bus passes for clients for when van is not available.</li> <li>- Van destinations should include all other potential resource sites rather than just one or two fixed destinations.</li> </ul>
<p>Some DRC clients could be armed and will be in the neighborhood during on and/or off hours.</p>	<p><b>S1</b> No guns or other weapons will be allowed on the premises of the DRC.</p>
<p>Food availability and safety in DRC may not be adequate.</p>	<p><b>S1</b></p> <ul style="list-style-type: none"> <li>- Assure that donated foods and any cooking facilities meet health safety requirements.</li> <li>- Provide full kitchen facilities and full meal service for individuals and families to reduce need for multiple daily trips for clients.</li> </ul>
<p><b>- Site Design -</b></p>	
<p><b>Issues/Concerns</b></p>	<p><b>Recommendations</b></p>
<p>Parking: Is there enough for clients, staff, resource providers, and visitors?</p>	<p><b>S3</b></p> <ul style="list-style-type: none"> <li>- DRC will provide adequate parking stalls proportionate to the building's legal capacity.</li> <li>- Parking generated by the building staff, guests, and/or clients will not spill into</li> </ul>

	<p>surrounding neighborhood streets or near TNPC on Mifflin Street.</p> <ul style="list-style-type: none"> <li>- Parking must be confined to their own parking lot. Must secure a formal parking agreement with neighbors (TPNC, Pasqual's, Baldwin Street Grill, Mullins Property, 1444 E. Washington Ave., Dept. of Safety and Professional Services).</li> </ul>
Will the DRC have sustainable components?	<ul style="list-style-type: none"> <li>- The county will investigate solar panels on the roof and install them if possible.</li> <li>- Trees will be saved if at all possible in the course of construction.</li> </ul>
Parking and Traffic concerns	<ul style="list-style-type: none"> <li>- Vehicle access to DRC must be from E. Washington Avenue only.</li> <li>- DRC entrance and exits will be confined to E. Washington Avenue.</li> <li>- There will be an excess of bike parking available for clients and staff.</li> </ul>
Clients coming and going will spill over onto adjacent properties.	<p><b>S3</b> Fences will have no access/gates from the rear or sides of the DRC property unless required by law.</p>
	<p>Four-season vegetation shall be installed to help screen DRC outdoor activities from neighbors, especially in the outdoor smoking area.</p>

Excerpts from City of Madison Conditional Use Approval Standards

(a) The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable neighborhood, neighborhood development, or special area plan... No application for a conditional use shall be granted by the Plan Commission unless it finds that the following conditions are present:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare. (indicated as **S1**)
3. The uses, values and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner. (indicated as **S3**)
4. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. (indicated as **S4**)

Excerpts from the East Washington Capitol Gateway Corridor Plan

Core Development Principle:

- III. Business Development (5) Work with existing businesses to determine future plans and needs so they can grow and prosper in their current location. (indicated as **CGCP1**)

Design Guidelines:

Primary Streets and Parkways

East Washington Avenue

... Beyond aesthetic improvements, East Washington Avenue should be the showcase of Wisconsin as Madison's front door to employment and industry... (indicated as **CGCP2**)

Excerpts from Tenney-Lapham Neighborhood Plan

Land Use Goals...

Goal 8. Plan for redevelopment of the 1300 and 1400 blocks of East Washington and the 1400 block of East Mifflin Street (the Trachte Property)...

Discussion: This area presents enormous potential for redevelopment ... (indicated as **TLNP1**)

...it is the most visible face of the Capitol Gateway that inbound visitors will see as they cross the bridge at the Yahara. It is, of course, also the welcoming face of the Tenney-Lapham Neighborhood... (indicated as **TLNP2**)