



## Report to the Plan Commission

June 7, 2010

**Legistar I.D. #18687**  
**1240 East Washington Avenue**  
**Conditional Use**

Report Prepared By:  
Kevin Firchow, AICP  
Planning Division

---

**Requested Action:** Approval of a conditional use for a contractor shop in the C3 (Highway Commercial) District.

**Applicable Regulations & Standards:** Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a conditional use for a contractor shop at 1240 East Washington Avenue, subject to input at the public hearing and comments from reviewing agencies.

### **Background Information**

---

**Applicant:** Burke O'Neal; Full Spectrum Solar; 100 South Baldwin Street; Madison, WI 53703

**Project Contact:** Jim Glueck; Glueck Architects; 116 North Few Street; Madison, WI 53703

**Property Owner:** David and Cherie, LLC; 6330 Clovernook Road; Middleton, WI 53562

**Proposal:** The applicant requests a conditional use to establish a contractor shop in an existing building.

**Parcel Location:** The subject parcel is located on the north side of East Washington Avenue between Few and Baldwin Streets. The parcel is located within Urban Design District 8, Aldermanic District 2 (Maniaci), and the Madison Metropolitan School District.

**Existing Conditions:** The 15,000 square foot (0.34-acre) parcel has an existing 6,800 square foot, one-story building currently used for automotive repair services. The property also includes a small asphalt parking area in front of the building.

**Surrounding Land Use and Zoning:** The surrounding buildings fronting onto East Washington Avenue are also zoned C3 (Highway Commercial District) and include small commercial buildings and the Fire Department Maintenance facility. The UW Research Park business incubator is located directly across the street and is zoned C3L (Limited Service and Distribution District). Small residential buildings on North Baldwin Street abut the north side of the property and are zoned R5 (General Residence District).

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends medium-density residential uses for this property, and the Tenney-Lapham Neighborhood Plan (2008) and the East Washington Avenue Capitol Gateway Corridor Plan recommend community mixed-use for this block of East Washington, with the latter providing a recommended height limit of three stories.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

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

**Zoning Summary:** The property is in the C3 (Highway Commercial) District.

Requirement	Required	Proposed
Lot Area	6,000 sq. ft.	14,860.80 sq. ft.
Lot Width	50'	90'
Front Yard	0'	Existing
Side Yard	0'	Existing
Rear Yard	10'	12'
Floor Area Ratio	3.0	n/a
Building Height	n/a	n/a
Number of Parking Stalls	6	6 ( See Comment # 10 )
Accessible Stalls	1	1 (See Comment # 6)
Landscaping	Yes	As Shown
Lighting	Yes	(See Comment # 9)
Other Critical Items	Urban Design District, Barrier Free (ILHR 69)	
<i>Table Prepared by Pat Anderson, Assistant Zoning Administrator</i>		

**Analysis, Evaluation, & Conclusion**

The applicant, Full Spectrum Solar, requests approval to establish a contractor shop on the subject property. Contractor shops and offices are conditional uses in the C3 (Highway Commercial District) and as such, this proposal is subject to conditional use review and the standards of Section 28.12 (11).

The subject property includes a one-story building previously used as an auto body repair shop. No changes are currently proposed for the building, though the applicant indicates that modifications may be proposed at a future date.

The site plan includes some improvements but remains largely the same. The improvements include the addition of a new landscaped area along the southeastern corner of the site and the installation of a new five-foot wide planting area between the parking lot and the sidewalk. This area would be planted with a row of Taunton Yews, which should provide year round screening of the parking area. The plans also include the addition of a three-foot tall wooden screening fence between the East Washington Avenue frontage and the abutting parking stalls. With the aforementioned plantings and landscape area, staff do not believe the fence is necessary for screening purposes and recommend that it be removed. Staff note, the applicant has been working with the Urban Design Commission staff to ensure the standards for Urban Design District 8 are met. With the removal of the fence, staff has indicated the plans meet the district design standards.

The applicant indicates that the space will be used primarily for the storage of materials and vehicles with a portion of the structure used for office space. The applicant also notes that plumbing and electrical assemblies would occasionally be pre-built within this facility. Hours of operation would be from 7:30 am to 5:30 pm. Based on the information provided, staff do not believe that the proposed operation would provide negative impacts on the surrounding properties.

The Comprehensive Plan recommends medium-density residential development for the subject site and surrounding area. This recommendation includes a note stating that areas of non-residential uses should be identified in adopted neighborhood or special area plans. The Tenney-Lapham

Neighborhood Plan and the East Washington Avenue Capitol Gateway Corridor Plan recommend community mixed-use development for this block of East Washington Avenue. Additionally, these plans provide a framework for more significant redevelopment activities. Staff believes the proposed conditional use is not inconsistent with these recommendations and wouldn't preclude the more significant redevelopment opportunities envisioned in these plans. The proposed site improvements should provide an aesthetic improvement along the corridor.

Staff believe the conditional use standards are met and recommend approval.

## **Recommendation and Proposed Conditions of Approval**

---

Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a conditional use for a contractor shop at 1240 East Washington Avenue, subject to input at the public hearing, comments from the Planning Division, and the comments from reviewing agencies.

1. That the applicant removes the wooden fence proposed along the East Washington Avenue frontage.
2. As this project is in an urban design district, the applicant shall receive final approval (administrative or UDC) approval for the proposed site changes.

***The following conditions have been submitted by reviewing agencies:***

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

3. 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](mailto: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))

**Traffic Engineering Division** (Contact John Leach, 267-8755)

4. When the applicant submits final plans of one contiguous plan for 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, 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'.
5. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

6. Meet all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of one accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
  - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required to protect the accessible route.
7. Bike parking shall comply with City of Madison General Ordinances Section 28.11.
8. Provide two 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.
9. If exterior lighting is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. Lighting will be limited to .10 watts per square foot.
10. The required parking calculations imply a maximum of 10 employees.
11. Provide effective 6' to 8' high screening along the lot line of this commercial district adjoining a residential zoning district. (Note the property to the NW & NE is zoned R-5).
12. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
13. Pursuant to Section 28.09 (3)(d) 5. Provides that all parking (other than automobiles), loading, display of merchandise and parking or storage of equipment and supplies shall be conducted within completely enclosed buildings.

**Water Utility** (Contact Dennis Cawley, 261-9243)

14. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

**Fire Department** (Contact Bill Sullivan, 261-9658)

This agency did not submit a response to this request.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.