



Report to the Plan Commission

December 19, 2011

Legistar I.D. #24821
945 Stewart Street
Conditional Use

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Conditional use approval to allow automobile sales at an auto repair business in M1 (Limited Manufacturing District) zoning.

Applicable Regulations & Standards: Section 28.10(4)(d) 20 lists automobile and motorcycle sales and rental establishments as conditional uses in the M1 district. 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 that the conditional use standards are met for the proposed conditional use at 945 Stewart Street and **approve** the requested conditional use subject to input at the public hearing, comments from the Planning Division and comments from other reviewing agencies.

Background Information

Applicant / Contact: Hector Avila Rios; Chava's Auto Mechanics LLC; 945 Stewart Street; Madison, WI 53713

Owner: Faircrest Management; 1865 Northport Drive, Unit B; Madison, WI 53704

Proposal: The applicant proposes to sell a limited number of automobiles at his existing auto repair business. The applicant requests that one existing parking stall be converted to display for-sale vehicles. No other site plan changes are proposed.

Parcel Location: The 1.4-acre parcel is located within a multi-tenant commercial property on the south side of Stewart Street between Watford Way and Syene Road. The parcel is in Aldermanic District 14 and within the boundaries of the Madison Metropolitan School District.

Existing Conditions: The subject site is part of a 6.2-acre multi-tenant commercial rental property with 26 one-story buildings on five parcels. Uses on the property include automobile repair, contractor's shops, and other commercial, warehousing, or light industrial uses. The applicant operates an auto repair business within a building set near the rear of the property.

Surrounding Land Use and Zoning: The property is surrounded by general warehouses, contractor's offices, and other light industrial uses in the M1 (Light Manufacturing) District.

Adopted Land Use Plan: The Comprehensive Plan recommends industrial uses for this site.

Environmental Corridor Status: The property is not within an environmental corridor.

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

Zoning Summary: The property is zoned M1 (Limited Manufacturing District).

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	60,572 sq. ft.
Lot width	50'	adequate
Front yard	0'	Existing building
Side yards	0'	Existing building
Rear yard	10'	adequate
Floor area ratio	2.0	less than 1.0
Building height	--	1 story
Number parking stalls for this use	1 car sales/showroom 4 display stalls	TBD (1)
Accessible stalls	Yes - existing	existing (2)
Number bike parking stalls	2	0 (3)
Landscaping	Yes	Existing (4)
Lighting	No	TBD
Other Critical Zoning Items	Barrier free (ILHR 69)	

Table prepared by Pat Anderson, Assistant City Zoning Administrator

Analysis, Evaluation, & Conclusion

The applicant seeks conditional use approval to allow limited automobile sales at an existing auto repair business in the M1 (Limited Manufacturing) zoning district. This proposal is subject to the conditional use review standards of the Zoning Ordinance.

The applicant is one tenant within a 6.2-acre, multi-tenant commercial development with 26 one-story buildings on five parcels. Uses include automobile repair, contractor’s shops, and other commercial, warehousing, and light industrial uses. The buildings on the site are surrounded by asphalt for parking and loading, and each building has overhead garage doors for use by tenants. The applicant’s 1,600 square foot tenant space is located at the rear of the property and has three parking spaces.

The site plan identifies one existing parking stall for potential “for-sale” vehicle display and the letter of intent requests up to two vehicles be allowed for sale at a time. Considering that only three parking stalls are available to the applicant, staff believe that sales should be limited to the one stall shown on the plan. Staff discussed this with the applicant and who previously indicated that he would agree to limit sales display to one stall. An alteration to the conditional use could be considered at a future date if additional sales space is desired.

The letter of intent indicates the applicant would continue to operate the auto repair business and the limited auto sales would be used to supplement that income. Business hours would be from 9:00 am until 7:00 pm, Monday through Friday. No physical site plan changes are proposed.

Staff note that a very similar proposal for vehicle sales on a different property within this development was approved in 2010. That approval allowed a different auto repair business to sell up to four vehicles, displayed in an area adjacent to the street. As required for that project, City Zoning notes that approval of this conditional use requires this property and site plan meet all contemporary parking lot

and site plan standards. Staff discussed this change with the applicant at a pre-application meeting in September 2011.

Staff believe the conditional use standards can be met. While the Comprehensive Plan recommends industrial uses for this site, staff note that some limited commercial and service uses are not necessarily inconsistent with that recommendation, especially when serving users and employees of the area. Considering the small number of vehicles that will be on-site for sale, staff don't anticipate this conditional use would result in significantly different impacts than what is on-site today. Should the applicant wish to expand the auto sales component or make site plan changes, an alteration to the conditional use would be required. At the time of report writing, staff was not aware of any concerns on this proposal.

Recommendations 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 that the conditional use standards are met for the proposed conditional use at 945 Stewart Street and **approve** the requested conditional use subject to input at the public hearing, comments from the Planning Division and comments from other reviewing agencies.

1. That this conditional use approval allows for up to one vehicle to be displayed for sale in accordance with the approved site plan. An increase in the number of vehicles displayed for sale or other site plan changes (other than those approved as part of this proposal) will require approval of an alteration to this conditional use. Please note, the zoning ordinance allows minor alterations to conditional uses to be issued by the Zoning Administrator after approval by the Director of Planning and Community and Economic Development. (Please see Section 28.12(11)(h)2)

The following conditions have been submitted by reviewing agencies:

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

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

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

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

Zoning Administrator (Contact Pat Anderson, 266-5978)

2. The final site plan must reflect compliance with parking lot geometrics as outlined in MGO 10. Parking spaces designated for automobile display must be identified on final site plan.

3. Provide two (2) bicycle parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. 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.
4. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.
5. Parking lot plans with greater than twenty (20) stalls shall comply with City of Madison General Ordinances Section 28.04 (12). Landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.)

Fire Department (Contact Bill Sullivan, 261-9658)

6. Ensure owner and customer vehicles are not parked in fire lanes.

7. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 261-9243)

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, and not need a copy of the approved plans.

Parks Division (Contact Tom Maglio, 266-6518)

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.