



**Project Address:** 1900-1902 East Washington Avenue

**Application Type:** Conditional Use

**Legistar File ID #** [33921](#)

**Prepared By:** Kevin Firchow, AICP, Planning Division

Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant:** P.T. Bjerke; Supercharge! Foods, LLC; 1941 E Dayton Street; Madison, WI 53704

**Contact:** Roald Gundersen; Whole Trees Architecture; 800 Williamson Street; Madison, WI 53703

**Property Owner:** Koua Vang; 2919 Vang Lane; Sun Prairie, WI 53590

**Requested Actions:** The applicant requests conditional use approval to establish a limited production and processing facility in CC-T (Commercial Corridor-Transition) District zoning.

**Proposal Summary:** The applicant proposes to make site and interior building alterations to establish a production and processing facility for the growing of microgreens.

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

**Review Required By:** Plan Commission (PC)

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use to establish a limited production and processing facility in CC-T zoning at 1900-1902 East Washington Avenue. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

## Background Information

**Parcel Location:** The parcel is an approximately 6,945 square foot parcel located at the intersection of East Washington Avenue and First Street. This parcel is located within Aldermanic District 12, Urban Design District 4, and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The site includes an existing one-story commercial building.

### Surrounding Land Use and Zoning:

North: Single and two-family homes, zoned TR-C4 (Traditional Residential-Consistent 4);

South: Single and two-family homes, zoned TR-V1 (Traditional Residential-Varied 1);

East: Single, two, and three-family homes, zoned TR-V1; and

West: Shopping center and auto repair business, zoned CC-T (Commercial Corridor-Transition)

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends low density residential development for the subject property and surrounding properties east of East Washington Avenue. The Emerson East-Eken Neighborhood Plan does not provide detailed land use recommendation, but recommends the existing residential character of the block be maintained.

**Environmental Corridor Status:** The subject site is not within a mapped environmental corridor.

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

**Zoning Summary:** The property is zoned CC-T– Commercial Corridor Transition District.

	Required	Proposed
Maximum Lot Coverage	85%	Existing > 85%
Front yard	0'±	40'
Side yards	5'	0' RS / 3'-9"±
Rear yard	20'	20'
Building height Max.	5 stories/68'	1 story
Number parking stalls	0	0
Loading	No	No
Number bike parking stalls	1 per 5 employees (2)	3
Landscaping	No	No
Lighting	No	No
Other Critical Zoning Items	Yes (UDC #4) and Barrier free (ILHR 69)	

Table Prepared by Patrick Anderson, Assistant Zoning Administrator

## Project Description, Analysis, and Conclusion

The applicant requests conditional use approval to establish a limited production and processing facility within a property zoned CC-T (Commercial Corridor-Transition District). This request is subject to the approval standards for conditional uses.

If approved, the facility would be utilized for the growing and production of microgreens- edible vegetables that are harvested after a relatively short growing period. From a zoning standpoint, this is considered a “limited production and processing facility” which is allowable with conditional use approval.

The building is an approximately 3,200 square foot structure, most recently divided into two commercial spaces. The applicant proposes to utilize the entire building. Phased improvements are proposed in the building’s interior, and no exterior building changes are proposed at this time. During an initial phase, the applicant will adjust the placement of some interior non weight-bearing walls to create the desired production space. A second phase of building improvements includes the creation of a “community room” for workshops and classes and a juice bar.

The plans also show the conversion of the front parking area into a landscaped yard. Staff understands that there is currently no legal driveway access to the existing front asphalt area and it cannot legally be used for automobile parking. This situation was created as part of the East Washington Avenue reconstruction project and the property owner had previously been compensated by the City for the loss of that parking. The revised plan shows this area being converted into a landscaped yard with some plantings as shown. The plan has been

reviewed by the Urban Design Commission Secretary, on that Commission's behalf. It is recommended that the plans be revised to provide a connection between the public sidewalk and the front of the building. The revised letter of intent indicates that the planting plan may be revised and as such, these details will need to be approved by the Urban Design Commission Secretary.

The letter of intent states that the installation of the landscaping is intended to occur as part of a future phase, with no timeframe specified. Such improvements will be required as part of the implementation of this application. The Zoning Code requires that the property be brought into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the final site and building plan approval. While the Zoning Administrator can defer the installation of landscaping or other approved improvements within a reasonable time (accounting for factors such as season), approved improvements cannot be delayed to a future phase well-beyond establishment of the conditional use.

In addition to the new planting area, the applicant also proposes to install the zoning code-required six-foot tall wooden fence where required along property boundaries adjacent to residentially-zoned properties. Staff understands that the rear drive area will be utilized as a loading zone. Based on conversations with the applicant, staff understands that most loading will occur through vans and not large trucks.

At the time of report writing, staff was not aware of any neighborhood concerns on this proposal. The Planning Division believes the project can meet the approval standards.

## 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 conditional use to establish a limited production and processing facility in CC-T zoning at 1900-1902 East Washington Avenue. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

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

1. That the plans be revised to include a direct connection between the sidewalk and building front door through the proposed front yard. The details shall be approved by staff.

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

2. It has been discussed at a meeting on May 19, 2014 that a revised site plan will be submitted. The site plan will not have any parking or access in front of the site along East Washington Avenue. This area is planned to be green space with bicycle parking and possible seating. No shared access or shared parking is planned or will be permitted between this parcel and the parcel to the northeast.
3. The address of the site is 1902 E Washington Ave. The non-conforming address of 1900 E Washington Ave has been inactivated and is no longer valid for use.

4. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
5. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
6. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
7. All damage to the pavement on East Washington Avenue and First Street adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)
8. 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)

9. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
10. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
11. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
12. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

13. Screening shall be provided along District boundaries lines subject to Section 28.142 (8). Provide a detail of the proposed screening on the NW side of property, to screen the TR-C4 zoned two-family dwelling to the northwest.
14. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). Provide the minimum of 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. Provide details of bike rack on final plan sets.

15. 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.
16. The driveway area to the northwest will most-likely be used as a loading zone. If this is the case, identify this area as a loading zone on the final site plan.
17. If refuse is to be stored outside of enclosed buildings, provide a detail and location for the refuse enclosure,
18. The plans appear to show cross-access to the residential property to the northeast. The city has no record of this cross-access being approved, and this is not allowed. Extending the 6' wood fence along the property line will prohibit illegal cross-access.

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

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

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

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

20. 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 will not need a copy of the approved plans.

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

This agency did not provide comments for this request.