



PREPARED FOR THE PLAN COMMISSION

Project Address: 1325 Greenway Cross
Application Type: Conditional Use
Legistar File ID # [36810](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Michele O’Neil, iGive100, LLC; 4620 Frey Street, Unit 200; Madison.

Property Owner: 1325GC, LLC; 1018 Hackberry Lane; Madison.

Requested Action: Approval of a conditional use to allow a personal fitness training and instruction studio (arts/ technical/ trade school) and general retail sales in the IL (Industrial-Limited) zoning district at 1325 Greenway Cross.

Proposal Summary: The applicant is requesting approval to use a 1,315 square-foot tenant space in an existing one-story, 22,535 square-foot multi-tenant commercial/ industrial building for personal fitness training and instruction and retail sales of fitness and nutritional products. Other uses in the building currently include a Montessori school and daycare. Occupancy of the personal fitness facility will commence as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Table 28-F1 in Section 28.082(1) of the Zoning Code identifies arts/ technical/ trade schools and general retail as conditional uses in the IL (Industrial-Limited District) subject to supplemental regulations in Section 28.151. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.211 defines “Schools, Arts, Technical or Trade” as “Business, professional, trade, or other specialty schools, including but not limited to schools offering instruction in music, art, dance, martial arts, GED preparation, computer use or programming, or cosmetology.” General Retail uses are defined as including “the retail sale of products to the general public, sometimes with provision of related services, and produce minimal off-site impacts.” Drugstores and pharmacies are examples of the type of business allowed under the guise of “general retail.”

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** conditional uses to allow an arts/ technical/ trade school for personal fitness training instruction and general retail sales of fitness and nutritional products in a tenant space at 1325 Greenway Cross subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Parcel Location: The subject site is a 1.6-acre parcel located at the southeastern corner of Greenway Cross and Index Road; Aldermanic District 14 (Strasser); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with a one-story, 22,535 square-foot multi-tenant commercial/ industrial with parking for 70 automobiles on the north, west and east sides; zoned IL (Industrial-Limited District).

Surrounding Land Use and Zoning:

North: Undeveloped lands, Bergstrom Automotive Group and Zion City Church, zoned CC-T (Commercial Corridor-Transitional District);

South: Light industrial and storage buildings in the City of Fitchburg;

East: Harper-Fritsch Commercial Photography, Integrity Auto Services, Applegate Auto, zoned IL (Industrial-Limited District);

West: Napa Auto Parts in the City of Madison, zoned CC (Commercial Center District); Madison Music Foundry in the City of Fitchburg.

Adopted Land Use Plans: The Comprehensive Plan identifies the subject site and properties generally located on both sides of Greenway Cross in the City of Madison east of Index and Applegate roads for Industrial uses; lands in the City to the west along Greenway Cross are recommended for General Commercial land uses.

The properties are located just outside the eastern boundary of the 2013 Arbor Hills-Leopold Neighborhood Plan, which effectively ends at Fish Hatchery Road but includes recommendations for the Fish Hatchery Road Commercial Corridor, which extends east to the west side of Index Road adjacent to the subject site.

Zoning Summary: The site is zoned IL (Industrial-Limited District):

Requirements	Required	Proposed
Lot Area	20,000 sq. ft.	68,588 sq. ft.
Lot Width	75'	175.14'
Front Yard	0'	55' (Index Road)
Side Yards	15'	22'on south side 55'on north side
Rear Yard	30'	130'
Maximum Lot Coverage	75%	Less than 75%
Floor Area Ratio	N/A	---
Maximum Building Height	N/A	1 story, existing
Auto Parking	No minimum	70 (Existing, inc. 3 accessible stalls)
Bike Parking	Office: 1 per 2,000 sq. ft. Day Care: 1 per 5 employees Schools: 1 per 5 students General Retail: 1 per 400 sq. ft.	17, Adequate
Loading	N/A	0
Building Forms	Industrial Building	Existing, complies
Other Critical Zoning Items		
Yes:	Barrier Free	
No:	Floodplain, Urban Design, Wellhead Protection, Landmarks, Waterfront Development, Utility Easements	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

Environmental Corridor Status: The property is not located within a mapped environmental corridor (Map E10).

Public Utilities and Services: The property is served by a full range of urban services, including limited Metro Transit, service located on Greenway Cross and Stewart Street and further to the west along Fish Hatchery Road.

Previous Approval

On July 28, 2014, the Plan Commission found the standards met and conditionally approved a conditional use for a 5,307 square foot reception hall in the subject multi-tenant building located at 1325 Greenway Cross.

Project Description

The applicant and property owner is requesting approval of a conditional use in the IL (Industrial-Limited) zoning district to allow 1,315 square feet of an existing 22,535 square-foot multi-tenant commercial building to be used for a personal fitness training instruction studio with retail sales of fitness and nutritional products. Other uses in the multi-tenant building currently include Greenway Crossing Montessori School and Greenway Plaza Kids Camp.

Existing floorplans of the one-story building are included in the application materials for reference. The applicant indicates that no exterior alterations to the building or site are proposed and that interior alterations to accommodate the personal fitness training instruction studio and retail will be cosmetic in nature. The hours of operation for the proposed business will be 7:00 AM–7:00 PM according to the application materials.

Analysis and Conclusion

The Zoning Administrator has determined that the personal fitness training instruction studio qualifies as an arts, technical, or trade school, which is a conditional use in the IL (Industrial-Limited) zoning district. The related sales of fitness and nutritional products qualify as general retail, which is also a conditional use in IL zoning. Arts, technical, or trade schools are subject to supplemental regulations that require vehicular access from a collector or higher classification street if located within a predominantly residential or mixed-use area, with an appropriate transition area between the arts/ technical/ trade school use and adjacent properties using landscaping, screening, and other site improvements consistent with the character of the neighborhood. Such facilities not located in industrial districts are required to conduct all activities within enclosed buildings. With the exception of the TE-Traditional Employment and SE-Suburban Employment districts, general retail uses in employment districts are limited to 10,000 square feet in floor area unless such uses are part of a planned multi-use site.

The Planning Division believes that the personal fitness training instruction studio and general retail sales of fitness and nutritional products in a tenant space at 1325 Greenway Cross can meet the conditional use standards and the applicable supplemental regulations for this industrially zoned site. The statement of purpose for the IL district generally recommends that the district accommodate a mix of light manufacturing uses, offices, warehousing, flex-space, limited storage and warehousing, and limited retail and service uses that primarily serve the industrial uses, designed with adequate landscaping and screening, to ensure compatibility with adjoining uses. Industrial districts typically require relatively direct access to the regional highway system, and may require rail or air transportation service. The IL district is also intended to provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises while discouraging a proliferation of highway-oriented commercial uses that reduce the land area available for development or expansion of employment uses.

In this case, the Planning Division believes that the use of 1,315 square feet of space in the 22,535 square-foot multi-tenant commercial building for a personal fitness training instruction studio with retail sales of fitness and nutritional products is an acceptable use of the space, which as noted in the letter of intent, has hosted other non-industrial businesses in the past. Staff does not believe that the use will have a negative impact on the uses, values and enjoyment or normal and orderly development of surrounding properties, which include a wide range of industrial and commercial uses located between the Beltline Highway and Post Road and from US Highway 14 to Fish Hatchery Road in both the cities of Madison and Fitchburg. Staff does not feel that the establishment of the proposed business will negatively impact the ability to implement the industrial land uses recommended for the site and properties generally to the east along Greenway Cross and Stewart Street in the Comprehensive Plan, and that the use of the space can be found to be consistent with the statement of purpose of the IL zoning district.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** conditional uses to allow an arts/ technical/ trade school for personal fitness training instruction and general retail sales of fitness and nutritional products in a tenant space at 1325 Greenway Cross subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

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

1. The site plan does not represent current conditions. Update the site plan to reflect current conditions. Refer to site plan that was approved by the City in October of 2014.
2. The site plan shall identify lot and block numbers of recorded Certified Survey Map or plat.
3. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

4. 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 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
5. 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.

6. 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.
7. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Pat Anderson, 266-5978)

This agency submitted a response with no comments or conditions for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

8. Coordinate suite addressing with the City Engineer.
9. The Madison Fire Department recommends the extension of the building fire alarm system into this suite if it is not already provided.

10. 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)

11. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

12. *General Comment:* The right-of-way at the existing bus stop in front of the site is unimproved and has no passenger accessibility features. There is not a dedicated space for passengers to stand and wait for the bus, other than the street, nor is there sidewalk along the property frontage or any accessible connection from the bus stop sign pole location to the building entrance. Metro Transit would strongly encourage the property owner to coordinate public works improvements at this site (including an accessible concrete boarding pad for the bus stop, and sidewalk/curb ramp connections to the building), if commercial uses that are more likely to generate pedestrian and transit demands continue to seek conditional use approvals at this property.

