

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
March 24, 2008**

**RE: I.D. # 09623 Conditional Use Application – 801 Atlas Avenue**

1. Requested Action: Approval of a conditional use to allow auto sales in a property zoned M1.
2. Applicable Regulations: Section 28.10(4) (d) (20) identifies automobile sales as a conditional use in the M1 district. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Kevin Firchow, AICP

**GENERAL INFORMATION**

1. Applicant & Contact: Lee Loveall, Jr; Family Auto Sales; 123 Sioux Drive; Edgerton, WI 53534  
  
Property Owner: John DuBois; 801 Atlas Avenue; Madison, WI 53714
2. Development Schedule: The applicant indicates in the letter of intent that he wishes to proceed as soon as possible.
3. Location: An approximately one-acre parcel located at the corner of Atlas Drive and Atlas Court, just east of Stoughton Road and north of Cottage Grove Road. The project is in Aldermanic District 3; Madison Metropolitan School District.
4. Existing Conditions: The site includes one three-tenant building and surface parking lot. The two tenants include automobile service-related business: an auto repair shop and detailing facility. One tenant space is currently vacant and would be the office for the proposed auto sales facility.
5. Existing Zoning: The property is zoned M1 (Limited Manufacturing District).
6. Proposed Land Use: The applicant wishes add an auto sales facility to the site. No exterior building or site changes are planned.
7. Surrounding Land Use and Zoning:  
  
North: Industrial building, zoned M1 (Limited Manufacturing)  
South: Professional office, zoned C3 (Highway Commercial District)  
East: Truck rental facility, zoned M1 (Limited Manufacturing)  
West: Vacant restaurant, zoned M1 (Limited Manufacturing)

8. Adopted Land Use Plan: The Comprehensive Plan recommends this site for “Industrial” uses.
9. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
10. Public Utilities & Services: The property is served by a full range of urban services.

### **STANDARDS FOR REVIEW**

This application is subject to the conditional use standards of Section 28.12 (11).

### **ANALYSIS, EVALUATION & CONCLUSION**

The applicant requests conditional use approval to operate an auto sales facility in a property zoned M1 (Limited Manufacturing District). Auto sales are a conditional use in this district. The site is just east of Stoughton Road, near its interchange with Cottage Grove Road.

The proposed business would be a tenant in an existing 9,900-square foot building. The building includes three tenant spaces, with two of them occupied by automobile service establishments. Businesses include an auto repair shop and detailing facility, with the latter also operated by the applicant. The office for the auto sales business would occupy the vacant 1,800 square foot space adjacent to the detailing facility. This portion of the structure features the building’s only masonry facade and has large storefront windows.

The proposed hours of operation would be 9:00 am to 6:00 pm Monday through Saturday. The business would be closed on Sunday.

The subject property is approximately one-acre in area and includes 62 parking spaces. Plans submitted with this application do not show any changes to building or site. The applicant indicates that he would have 15 to 20 automobiles on display at one time. Additionally, the applicant estimates up to 10 vehicles could be stored overnight in the detailing shop, if necessary.

The Planning Division believes this use could meet the standards for conditional uses and note the following considerations. One consideration is the Comprehensive Plan, which recommends “industrial” uses for the subject property. While that Plan does not explicitly recommend against auto sales in industrial areas, it states that such districts “are not intended for retail or office uses not related to an industrial use, except for limited retail goods and services provided primarily to employees and users of the district.” Planning staff believe that the proposed small-scale auto sales facility could be considered a “limited service” business serving existing area customers, providing some consistency with this recommendation. Staff note the property already includes auto-related businesses and is located at the edge of an existing commercial district featuring other highway-oriented commercial uses.

The subject property is within the Stoughton Road Revitalization Plan study area. The draft plan has now been introduced for adoption and specifically discourages additional auto dealerships at other locations along Stoughton Road and generally discourages this type of development throughout the study area. The Plan does not provide specific recommendations for the subject site but includes it within a larger area recommended to enhance the corridor's open space character and promote a "conservation-oriented aesthetic and function." Upon a tour of the surrounding area, staff note that the existing property has only limited visibility from Stoughton Road as existing vegetation and buildings screen much of this site.

Considering the surrounding context, staff do not believe that the establishment of a small auto sales business would have a substantial impact on aesthetics in the area or the draft plan's recommendation to enhance open spaces along Stoughton Road. The adjacent properties include several minimally screened surface parking lots highly visible from Stoughton Road and surrounding streets. The adjacent property to the east, for example, provides the rental of trucks and trailers with many vehicles parked adjacent to the right-of-way. On the subject property, a six-foot wide landscape area provides additional on-site green space between the parking lot and right-of-way that could reduce the visual impact of autos parked on site. It is recommended the applicant works with staff and prepares a compliant landscape plan as a condition of approval.

Staff note that the subject property sits between relatively large commercial and industrial areas with no residential neighborhoods in close proximity. Staff is therefore not concerned with noise or traffic conflicts that can exist between residential uses and auto sales businesses.

Based on the information provided, staff do not anticipate the establishment of this business at this location would provide conflicts with surrounding uses nor impair or diminish the use, value, or enjoyment of nearby properties.

## **RECOMMENDATION**

The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** the applicant's request for a conditional use to allow automobile sales, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant meets with planning staff and prepares a landscape plan for the site to provide compliance with current landscape and parking lot standards.