



## Report to the Plan Commission

April 15, 2009

**Legistar I.D. #14407**  
**2117 S. Stoughton Road**  
**Conditional Use**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

---

**Requested Action:** Approval of a conditional use for an automobile accessory sales and service business with automobile sales located at 2117 S. Stoughton Road.

**Applicable Regulations & Standards:** Section 28.10 (4)(d) identifies automobile sales and automobile accessory stores including installation as a conditional uses in M1 zoning. 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 proposed conditional use does not meet all of the standards for approval and place this application on file without prejudice. Should the Commission wish to approve this conditional use, staff asks that the Commission describe how the standards are met in this case and make its approval subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

### Background Information

---

**Applicant:** David Nelson, Ruedebusch Development & Construction; 4605 Dovetail Drive; Madison.

**Property Owner:** McAllen Investments, LP; 2695 Gaston Road; Cottage Grove.

**Proposal:** The applicant wishes to convert a vacant space in a multi-tenant commercial/ industrial building into an automobile accessory sales and service establishment with automobile sales. The applicant wishes to proceed as soon as all necessary approvals have been granted, with completion scheduled by August 2009.

**Parcel Location:** An approximately 2.11-acre parcel (per City Assessor records) located at the northeastern corner of Helgesen Drive and S. Stoughton Road; Aldermanic District 16; Madison Metropolitan School District.

**Existing Conditions:** A single-story multi-tenant commercial/ industrial building with surface parking.

**Surrounding Land Use and Zoning:** The subject site is generally surrounded to the north, south and east by a variety of other commercial and light-industrial buildings in M1 (Limited Manufacturing District) zoning. The property is bounded on the west by a S. Stoughton Road frontage road, with the divided S. Stoughton Road highway further to the west.

**Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and surrounding properties to the north and east for industrial uses. Lands to the south of the site across Helgesen Drive and west across S. Stoughton Road are recommended for general commercial uses. The Stoughton Road Revitalization Project Plan also recommends the subject site for industrial uses but includes recommendations discouraging automotive services and auto-oriented businesses and highly discouraging automobile sales.

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

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

**Zoning Summary:** Existing M1 (Limited Manufacturing District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	2.11 acres (existing)
Lot Width	50'	Adequate for existing lot
Usable open space	N/A	---
Front Yard	0'	Existing building
Side Yards	0'	Existing building
Rear Yard	10'	Existing building
Floor Area Ratio	2.0	Less than 1.0
Building Height	--	1 story
No. Parking Stalls	To be determined	To be det., see conds. 17 & 20
Accessible Stalls	To be determined	To be determined, see cond. #19
Loading	N/A	N/A
No. Bike Parking Stalls	To be determined	To be determined, see cond. 20
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

## Project Review

---

The applicant and property owner is requesting approval of a conditional use to allow an automobile accessory sales and service establishment with automobile sales in a vacant 4,724 square-foot space in a multi-tenant commercial/ industrial building located on a 2.11-acre parcel at the northeastern corner of Helgesen Drive and S. Stoughton Road. The existing building is a single-story 21,675 square-foot structure that extends along the northern property line of the site, with 48 parking stalls located primarily between the southern building wall and Helgesen Drive. A second, approximately 12,000 square-foot warehouse building is located on the eastern half of the property, with loading docks located along the southern wall. The site is accessed by four driveways from Helgesen Drive and one driveway from the eastern frontage road of S. Stoughton Road (US Highway 51).

The proposed automobile accessory sales and service tenant, A&J Mobility, will focus on the sales and installation of "adaptive equipment" for vehicles for persons with disabilities. The adaptive equipment to be sold, installed and serviced will include wheelchair and scooter lifts, specialized hand and foot controls, and seats. General automotive repair for these vehicles is not proposed. A&J Mobility also proposes to sell new and used "mobility" vehicles at this location, which will require them to have a motor vehicle sales license. Information provided with the application indicates that a maximum of 10 vehicles for sale will be on site at any time, with half in an interior showroom and the remainder outside.

Alterations to the existing building and site appear to be limited to an interior renovation to accommodate a dock area/ service bay with a new overhead door on the southern façade facing Helgesen Drive. The interior remodeling will result in two offices and a waiting area in addition to the showroom and dock/ service space. The letter of intent indicates that the applicant/ property owner will undertake an exterior renovation at some time in the future per a discussion with the district alder. However, no details on this renovation have been provided at this time.

## **Analysis**

---

While automobile accessory stores are permitted uses in commercial zoning districts beginning in the C2 General Commercial District and automobile/ motor vehicle sales are permitted beginning in the C3 Highway Commercial District, automobile sales and automobile accessory stores are identified as conditional uses in the M1 zoning district and require Plan Commission approval. In reviewing the proposal, Planning Division staff, while acknowledging the valuable service provided by the proposed tenant, believes that this proposal may not be able to meet all of the conditional use standards. In particular, staff believes that the establishment of the proposed conditional uses may “impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.”

M1 zoning is intended to accommodate certain non-nuisance industrial uses near residential areas, and to preserve and protect lands designated on the Comprehensive Plan for industrial development and use from the intrusion of certain incompatible uses that might impede the development and use of lands for industrial purposes. Development in the M1 district is intended to focus on certain commercial and industrial uses, such as the fabrication of materials and specialized manufacturing and research institutions. Conditional uses in M1 zoning are largely divided between uses that create an uncommon impact on surrounding permitted uses (noise, traffic generation, etc.) and uses that are not integral to the intent of the district. Staff feels that uses like the ones proposed on the subject site fit into the latter category.

The Comprehensive Plan identifies the subject site and surrounding properties generally to the north and east for industrial uses, which is consistent with the predominant M1 zoning present east of S. Stoughton Road. Lands to the south of the site across Helgesen Drive and west across S. Stoughton Road are recommended for general commercial uses.

The Comprehensive Plan land use recommendations for this area are further elaborated upon in the Stoughton Road Revitalization Project Plan, which was adopted by the Common Council on June 3, 2008. That plan recommends the subject site and most properties east of S. Stoughton Road and north of Helgesen Drive for industrial uses. Lands south of the site and Helgesen Drive along the frontage road are recommended for a mixed-use business district with employment and commercial uses, with a transit-oriented development recommended at Pflaum Road. The Stoughton Road Revitalization Project Plan includes a recommendation calling for the gradual transition from regional low-density auto-oriented retail and commercial uses. The plan discourages automotive services and auto-oriented businesses unless they are part of a “larger and high-quality retail and mixed-use development” and highly discourages additional automobile sales establishments (SRRPP, page 61-attached). These recommendations are part of a series of recommendations aimed at creating a “vibrant commercial district that supports residential uses to the west (across S. Stoughton Road) and industrial and manufacturing uses to the east” in the section of S. Stoughton Road between Buckeye and Pflaum roads.

## **Conclusion**

---

The Planning Division does not feel that the proposed use of a portion of the subject site for automobile sales and automobile accessory sales, installation and service implements the goals and objectives of the Stoughton Road Revitalization Project Plan, which includes recommendations aimed at supporting the continued use of a majority of the surrounding area east of S. Stoughton Road including the subject site for industrial uses consistent with the existing M1 zoning. As such, staff believes that this

conditional use application may not meet all of the standards for approval, particularly the standard related to the impact the proposed conditional uses may have on the normal and orderly development of the surrounding area. In this case, staff feels that the normal and orderly development of the surrounding area is directly informed by the recommendations of the Stoughton Road Revitalization Project Plan, which expressly discourages both additional automotive services and auto-oriented businesses and automobile sales establishments.

A mitigating factor with this proposal is the limited number of vehicles involved. However, the proposed site plan, landscaping plan and building plans do little to improve this site. Should the Plan Commission find the standards for approval for conditional uses met by this request, staff requests that the site plan be amended to limit the number of vehicles on display in the parking area to five per the proposed tenant's letter of intent. Staff also recommends that these two conditional uses be non-transferable to another operator. Conditions of approval are also proposed that will require landscaping and building improvements to enhance the appearance of the site to be approved by Planning staff.

### **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

---

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

The Planning Division recommends that the Plan Commission find that the proposed conditional use does not meet all of the standards for approval and place this application on file without prejudice. Should the Commission wish to approve this conditional use, staff asks that the Commission specify how the standards are met in this case and make its approval subject to input at the public hearing, the following Planning Division conditions and the conditions from reviewing agencies:

1. That alterations to the exterior of the building to improve its appearance from S. Stoughton Road be submitted to the Director of the Planning Division for approval prior to issuance of permits for the renovation of the tenant space and establishment of the proposed business.
2. That a landscaping plan be submitted for Planning Division approval prior to the issuance of permits. The landscaping plan shall include at a minimum: a combination of a continuous line of shrubs screening the parking area from the first Helgesen Drive driveway to the S. Stoughton Road frontage road and wrapping the last space adjacent to the frontage road; the planting of at least two deciduous trees (three if ornamental) in this same area parallel to Helgesen, and; one deciduous tree (two if ornamental) in the space between the building and frontage road.
3. That the site plan be revised to identify the parking spaces in the parking lot that will be used for automobile sales. The number of vehicles for sale on display in the parking area shall be limited to no more than 5 vehicles at any time per the tenant's letter of intent.
4. That all advertising of the automobiles for sale shall be limited only to the model year and the sales price of the vehicle placed on the windshield or other comparable surface; no inflatable devices, non-business identification signs, flags or streamers shall be allowed.
5. That this conditional use approval be non-transferable to any future owners or tenants of the property.

The following conditions have been submitted by reviewing agencies:

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

6. The owner shall execute a waiver of their right to hearing and notice on the assessments for the installation of sidewalk adjacent to this site in accordance with Section 66.0703(7)(b) of the Wisconsin Statutes and Section 4.09 of the Madison General Ordinances.
  7. Provide the Engineering Mapping Section a list of all tenants, existing and new, to coordinate a final address plan for this site.
  8. City records indicate an additional existing warehouse building on this site that is not shown on the plan. Revise the plan to include all existing conditions.
  9. City records indicate that the State of Wisconsin Department of Administration owns a portion of the site plan shown on the McAllen plan set. Revise the plan to correctly identify actual ownership lines.
10. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

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

11. The applicant shall indicate the type of bicycle racks to be installed both inside and outside.
12. When the applicant submits final plans 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, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side, signage, percent of slope, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
13. A "Stop" sign shall be installed at a height of 7 feet at all driveway approaches. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
14. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.

15. The applicant shall show the dimensions for all existing parking stalls' items B, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b)2. Signs and planting areas are to be excluded from the rectangular stall areas including the 2 feet of vehicle overhang. The 2 feet of vehicle overhang shall be shown on the plan and dimensioned.
16. 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)

17. The final site plan shall show all improvements on Lot 2 CSM 5072. This Planned Commercial site must reflect compliance with parking lot geometrics as outlined in MGO 10, and provide parking spaces for all uses on site. There shall be no outside display or storage on areas other than the designated paved areas that are shown on the final site plan. Call out the outside sales display areas on the final site plan. Parking or display on the grass is prohibited.
18. Land records show that this will be a Planned Commercial Site. A reciprocal land use agreement or a cross access easement agreements shall be approved by the Traffic Engineer, City Engineer and Director of Planning and Development recorded in the Office of the Dane County Register of Deeds. Show all buildings on the site including the building addressed 4418 – 4426 Helgesen Drive.
19. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of four accessible stalls striped per State requirements. A minimum of one 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.
  - c.) Show the accessible path from the stall to the building, including ramp, wheel stops or curb where needed.
20. Provide adequate bicycle parking stalls in a safe and convenient locations on an impervious surface to be shown on the final plan. Work with zoning staff to come up with an adequate number 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.
21. Provide a detailed landscape plan stamped by a registered landscape architect. Show species and sizes of landscape elements. 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. Please note: All open off-street parking areas containing more than three (3) spaces, all open off-street loading areas and all open storage areas shall have effective screening on each side adjoining or fronting on any public or private street except where the owner chooses to landscape in lieu of required screening
22. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. Lighting will be limited to .10 watts per square foot.

**Parks Division** (Contact Tom Maglio, 266-4711)

This agency did not submit comments for this request.

**Fire Department** (Contact Scott Strassburg, 261-9843)

23. Maintain clear access. In addition, cars can be parked only in marked spots.

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

This agency submitted a response with no conditions of approval for this request.

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

24. Metro Transit operates twelve trips per day on weekdays past bus stop #7564 on the north side of Helgesen Drive, east of the Stoughton Road Service Road. This stop is not currently accessible under guidelines of the Americans with Disabilities Act. Additional weekday trips also stop on the south side of Helgesen Drive, and along the Stoughton Road Service Road at this intersection. Given the description of the proposed tenant activities, Metro Transit would recommend that site improvements include creating a wheelchair-accessible connection from the bus stop location to the building entrance. This would involve, at a minimum, a concrete boarding pad behind the face of curb along Helgesen Drive – and connection of this concrete surface via a paved pathway to the surface of the parking lot and across the lot to the ramp leading up to the building door entrance. The developer may contact Metro Transit for additional design details if they decide to make this accessibility improvement for potential clients of the proposed tenant business

### Land Use

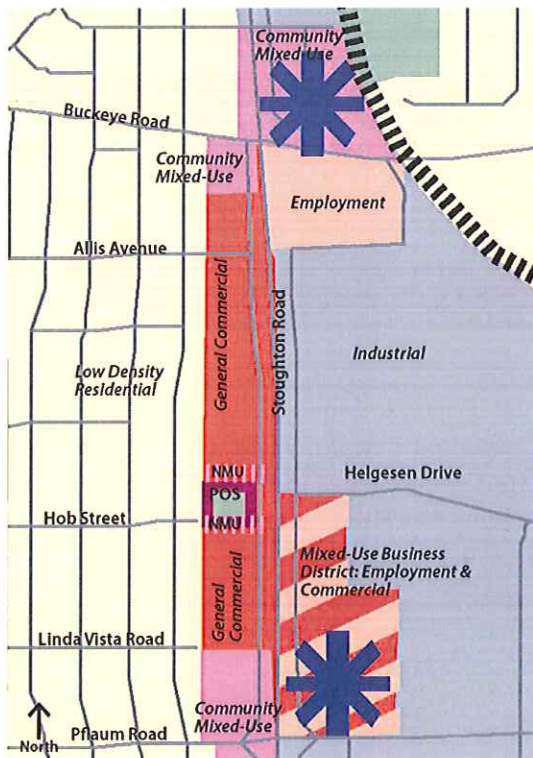
Land use designations for the Grid Development Area are a combination of General Commercial, Community Mixed-Use (CMU), Employment, and Business Mixed-Use areas. This combination of uses is designed to create a vibrant commercial district that supports residential uses to the west and industrial and manufacturing uses to the east.

The CMU areas at Buckeye and Pflaum Roads will help make a transition between neighborhood and commercial uses in the area. When it is time for CMU areas at the Stoughton Road intersections of Buckeye and Pflaum Roads to redevelop, they should do so with anchor-type uses that have a regional or city-wide function. They should be multi-story mixed-use office buildings that create gateways to the neighborhoods. Active uses such as retail, service, or community activities are

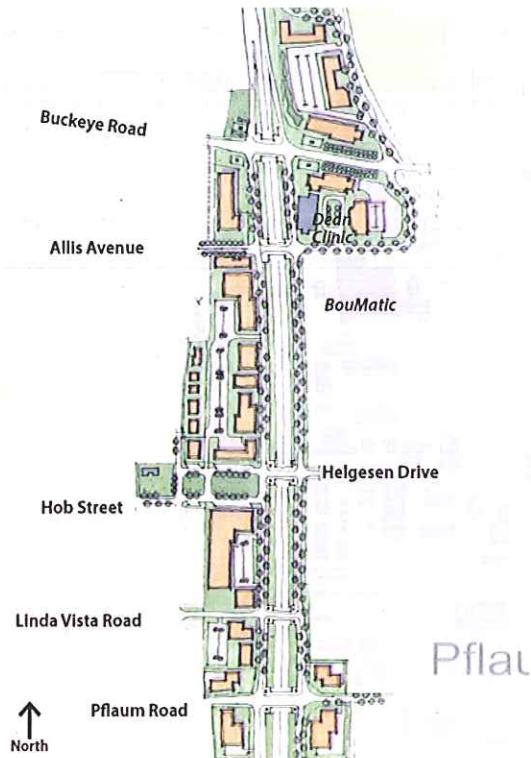
recommended on the ground floor with offices or apartments on upper floors.

The Business Mixed-Use district at Pflaum Road mirrors the requirements of the CMU designation, but without residential uses. The form of this redevelopment is relatively dense, high-quality office/retail/service that serves as a transition and support to the industrial areas to the east. Both the CMU and Business Mixed-Use areas will encourage more dense development to support multi-modal transit in the district.

The Plan recommends that Stoughton Road gradually and incrementally transition from low-density auto-oriented retail and commercial uses that serve a specialized regional niche to uses that serve a general East Side market. Additional car dealerships are highly discouraged; automotive services and auto-oriented businesses should be discouraged and included only as a part of a larger



Comprehensive Plan Proposed Land Use Map



Illustrative Concept Plan



high-quality retail and mixed-use development.

Uses will continue to be primarily commercial and many buildings will likely remain one-story in height; however, properties with buildings located at the rear of the site should, over time, redevelop to a more pedestrian-oriented format by locating buildings toward the frontage road. Existing and new buildings should face the frontage road with front doors and entries connected to new sidewalks. Surface parking is encouraged behind and to the side of buildings, but limited convenience parking (maximum 60 feet wide) is permitted in front of the buildings on sites not located on corners.

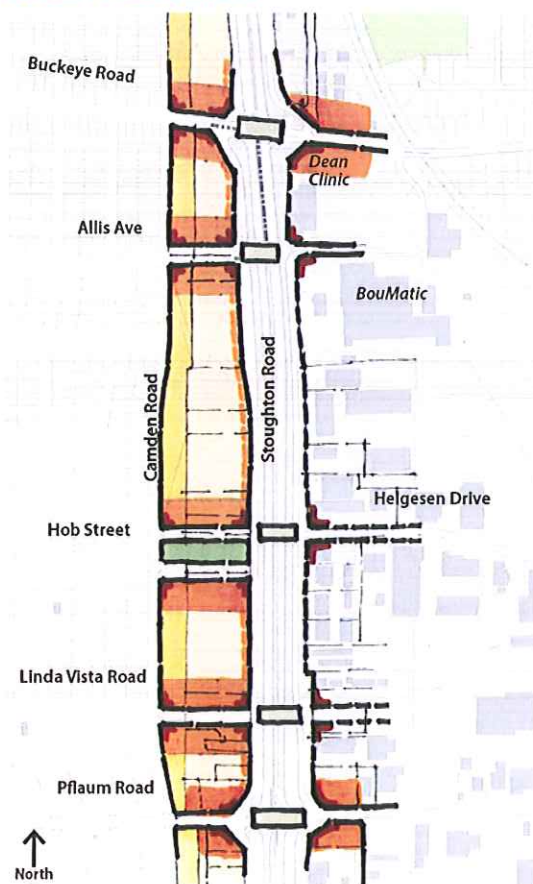
The Plan recommends that several local streets on the west side of Stoughton Road connect from

Camden Road to the west frontage road. These potential connections to Camden Road are a part of a decades-long vision for the future and would not occur for many years. In the case of such connections, redevelopment along them should contain housing or small neighborhood-scaled uses. Retail uses are acceptable on the frontage road.

Where Hob Street potentially connects the west frontage road and Camden Road, the Plan recommends creating a neighborhood park to replace the park that was lost during construction of the Lussier Stadium at LaFollette High School. If the street connection is made, and the park is built, the adjacent land use designation should also be changed to Neighborhood Mixed-Use (NMU), and include two-three story mixed-use buildings with retail on the ground floor, and residential or office above. An NMU land use designation for this small area will help define the park and create a neighborhood center node. This location is also an appropriate place for a civic building, such as a community center. Parking for these buildings should be behind or beneath the buildings.

The Plan recommends investments on Camden Road to improve the condition of the housing and the neighborhood. Public and private infrastructure investment should encourage Hob Street redevelopment. The Plan does not recommend changing land uses on Camden Road. New housing should be compatible in scale and density with existing housing.

### Block Guidelines



#### Block Guidelines Legend

