



Report to the Plan Commission

June 15, 2009

Legistar I.D. #15037

3833 Busse Street

Conditional Use – Warehouse in C2 Zoning District

Report Prepared By:

Kevin Firchow, AICP

Planning Division

Requested Action: Approval of a conditional use for a warehouse in the C2 (General Commercial) zoning district and an alteration to a planned commercial site.

Applicable Regulations & Standards: Storage and warehousing establishments are conditional uses in C2 zoning districts per Section 28.09(3)(d)6. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

Summary Recommendation: Subject to input at the public hearing, the Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a conditional use for a warehouse and alteration to a planned commercial site. This recommendation is subject to the conditions recommended by the Planning Division and the conditions recommended by other reviewing agencies.

Background Information

Applicant: Jennifer Voichick, Habitat for Humanity of Dane County, PO Box 258128, Madison, WI 53725

Contact: Same as applicant

Property Owner: Mitzi Rice, Executive Management; PO Box 8685, Madison, WI 53708.

Proposal: The applicant requests approval to construct a 2,100 square foot warehouse facility to store donated building materials for the Habitat for Humanity ReStore. If approved, construction of the facility would commence in August 2009 with completion scheduled for September of 2009.

Parcel Location: The subject site is approximately 10,953 square feet (0.25 acres) in area. It is located at the end of the Busse Street cul-de-sac, part of a larger planned commercial site that fronts onto Atwood Avenue and Cottage Grove Road. The site is located in Aldermanic District 15; Madison Metropolitan School District.

Existing Conditions: The site is a vacant, paved property along the back of a larger planned commercial site. The developable area of this property is limited by a thirty-foot ingress and egress easement along the property's south side and a ten-foot public sanitary sewer easement along the north end of the property. The Certified Survey Map for this site indicates that no vehicular access to the site is allowed from Busse Street. The larger planned commercial site includes a bank, drug store, liquor store, library, and the Dane County Habitat for Humanity ReStore. The back of the "ReStore" has a loading dock located roughly 300 feet from the proposed warehouse. Single-family residences are located immediately to the north.

Surrounding Land Use and Zoning:

North: Single-family residences, zoned R2 (Single-Family Residence District);

South: Liquor store and drug store buildings that are part of the planned commercial site zoned C2 (General Commercial District);

West: A small office building zoned C2, with multi-unit lakefront residences in the City of Monona, across Atwood Avenue; and

East: The Busse Street cul-de-sac bulb and the back of the planned commercial site is due east, with single-family residences zoned R2 to the north and east.

Adopted Land Use Plan: The Comprehensive Plan recommends neighborhood mixed-use development for this property.

Environmental Corridor Status: The subject site is not located in 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 C2 (General Commercial District).

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	10,953 sq. ft.
Lot width	50'	93+
Usable open space	N/A	N/A
Front yard	0'	31' (existing)
Side yards	25' from residential district	32' R / 30' L (existing)
Rear yard	10'	10'
Floor area ratio	3.0	Less than 1.0
Number parking stalls	N/A	N/A
Accessible stalls	None Shown	N/A
Loading	N/A	N/A
Number bike parking stalls	2	(See Condition #14)
Landscaping	Yes	adequate
Lighting	No	none (see Condition #15)
	Prepared by: Pat Anderson, Asst. Zoning Administrator	

(Recommended conditions that correspond to requirements are noted in parentheses)

Project Analysis, Evaluation, and Conclusion

The applicant, Habitat for Humanity of Dane County, requests approval to construct a 2,100 square foot warehouse building on a planned commercial site. Storage and warehouse buildings are conditional uses under the site's C2 (General Commercial District) zoning. Additionally, alterations to planned commercial sites with greater than 40,000 square feet of development when 25,000 square feet is retail require conditional use approval. The Habitat for Humanity "ReStore", a facility selling used and surplus building materials, is an existing occupant within this planned commercial site.

The larger planned commercial site is located at the intersection of Atwood Avenue and Cottage Grove Road and is approximately 5.5 acres in area. This development includes various occupants including a bank, drug store, liquor store, office building, public library, and the aforementioned "ReStore." The subject property is located at the back of this development, behind the drug store and office building. The proposed warehouse would be less than 300 feet from the "ReStore" facility. Single-family homes line Busse Street, immediately north of this site.

The subject property does not front onto either Atwood Avenue or Cottage Grove Road. While the property has street frontage along Busse Street, vehicular access is prohibited along this frontage and therefore, there are no curb cuts. Shared ingress and egress easements across the other commercial properties provide access to the subject site. The letter of intent specifies that access to the proposed warehouse would be limited to the access easement located along the rear of the "ReStore" building.

The applicant indicates that the facility will be used to store donated building materials. Anticipated trips to the building are described as being "intermittent" with staff and volunteers estimated to make one to two trips to this facility, daily. The facility would be accessed during normal store hours, which are now Wednesday through Saturday, 10:00 am to 6:00 pm. Materials will be loaded into and removed from the building through smaller "cube" trucks or by dollies. The applicant indicates no vehicles will be stored on site.

The warehouse would be a simple metal-sided building, measuring 42 by 50 feet. The structure would be 17 feet in height, measured from the base of the building to midway between the roof peak and eave. A 16-foot overhead door would face Busse Street. Additional service doors are provided on both the east (Busse Street-facing) and west facades. Staff and the applicant discussed the possibility of changing the orientation of the building so that the overhead door wouldn't be as visible from Busse Street. The applicant indicates that the proposed orientation is preferable as it works better with the existing site grades. Further, staff note that if the building were turned, loading would likely occur within the denoted ingress and egress easement.

The applicant has not specified color(s) for the building and has indicated a willingness to choose a color most desirable to adjoining neighbors and staff. Staff note that several service doors and loading areas are currently visible from the end of Busse Street, including a vibrant blue loading dock area at the back of the liquor store building. Staff do not have specific color recommendations, but recommend that the color scheme be as complementary as possible to the nearby residences. If the Plan Commission grants the conditional use, staff recommend that final building colors are subject to approval by the Planning Division.

The structure would be located at the rear of the site. At its closest points, the building is sited roughly 31 feet from Busse Street and 32 feet from the adjoining residential property to the north.

The applicant has provided a landscape plan, adding a variety of deciduous ornamental trees and shrubs along the Busse Street frontage. Staff believe the proposed landscaping is desirable; but recommend that the landscape plan be revised to provide some species that would provide better year-round screening, including the addition of some coniferous plantings. Further, staff note that the site plan and landscape plan show the warehouse building in somewhat different locations. This should be corrected on the final landscape plan, with the warehouse sited as shown on the site plan. The applicant is encouraged to work with Planning Division staff on the landscape plan, with a revised plan to be submitted for staff approval.

Staff believe the project potentially meets the conditional use standards, though two of the standards warrant further discussion. Standard Three relates to the “uses, values, and enjoyment of other properties in the neighborhood.” Considering the close proximity to surrounding residential uses, a warehouse at this site has the potential to negatively impact surrounding properties. However, based on the information provided by the applicant, staff believe this facility will be operated in a way to minimize many of the potential negative impacts. The development will not add truck or other traffic to Busse Street and access to this building is limited to area along the rear of the existing “ReStore” building. The loading and unloading of materials would occur intermittently during the store’s limited hours and only store staff and volunteers would be accessing the warehouse. Staff have recommended a condition that this conditional use is non-transferable and that the operation of this facility by another owner would require Plan Commission approval.

Considering the context, staff note this site is at the back of a planned commercial site that already features several loading docks and rears of buildings highly visible from the end of Busse Street. With the proposed landscaping, this proposal could result in a modest aesthetic improvement. Finally, staff note that several deciduous trees provide some screening between this site and the adjacent residence to the north. The Zoning Ordinance requires effective 6’ – 8’ high screening along this property line.

Conditional use Standard Four pertains to the “normal and orderly development” of the area. The Comprehensive Plan recommends “neighborhood mixed-use” for the subject property and the entire planned commercial development. Considering the smaller subject parcel’s size, limited access, and lack of visibility from the surrounding arterial streets, this property has very limited mixed-use redevelopment potential on its own. A significant redevelopment of the entire site would be necessary to fully realize the plan’s recommendation. While the larger planned commercial site consists of one-story buildings separated from the street by parking fields, the plan recommends this area redevelop with well-designed, multi-story buildings placed close to the sidewalk. Redevelopment would likely include demolition or significant alterations to many of the buildings on this site. Therefore, the removal of an additional relatively inexpensive storage building is not believed to be a significant impediment to future redevelopment. In the interim, this warehouse could support a significant tenant at this commercial site.

Staff conclude that the conditional use standards are potentially met with the conditions recommended, below. Considering the proximity to residential uses, the Plan Commission will need to carefully consider any testimony provided at the public hearing in making its findings and final recommendation. If approved, this and all conditional uses remain under the continuing jurisdiction of the Plan Commission. Therefore, should complaints be made or if conditions of approval are not met, this item could return to the Commission for further consideration.

Recommendation and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Subject to input at the public hearing, the Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a conditional use for a warehouse and alteration to a planned commercial site. This recommendation is subject to the conditions recommended by the Planning Division and the conditions recommended by other reviewing agencies.

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

1. That this conditional use for a warehouse shall be non-transferable and shall not apply to future owners and operators of the property. Future owners and operators shall make a new conditional use application for a continuation of this conditional use.
2. That the applicant shall revise the landscape plan so the warehouse location matches the site plan and include plantings that provide additional year-round screening.
3. That the exterior building colors be approved by Planning Division staff.

The following conditions have been submitted by reviewing agencies:

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

4. All work in the public right-of-way shall be performed by a City licensed contractor.
5. If disturbed area is greater than 4,000 SF, the applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
6. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
7. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) All Underlying Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words "unplatted"
 - h) Lot/Plat dimensions
 - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred izenchenko@cityofmadison.com . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

8. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
9. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

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

10. 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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
11. A "Stop" sign shall be installed at a height of seven (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.
12. The applicant shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
13. 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)

14. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
15. Lighting is not required. However, if it is provided, it must comply with the attached ordinance. Lighting will be limited to .08 watts per square foot.
16. The site shares a zoning district boundary with a residential development to the north. This development must provide effective 6' – 8' high screening along the lot line of this commercial district adjoining a residential zoning district.

Fire Department (Contact Scott Strassburg, 261-9843)

17. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:

a) The site plans shall clearly identify the location of all fire lanes.

18. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

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.