



## Report to the Plan Commission

June 6, 2011

**Legistar I.D. #22650**  
**2310 Pennsylvania Avenue**  
**Conditional Use**

**DRAFT**

Report Prepared By:  
Kevin Firchow, AICP  
Planning Division

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**Requested Action:** Conditional use approval to allow automobile sales at an auto repair business in M1 (Limited Manufacturing District) zoning.

**Applicable Regulations & Standards:** 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 conditional use standards are met for the proposed conditional use at 2310 Pennsylvania Avenue and **approve** the requested conditional use subject to input at the public hearing, comments from the Planning Division and comments from other reviewing agencies.

### Background Information

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**Applicant:** Miguel Lozana; M & J Auto Solutions; 2310 Pennsylvania Avenue; Madison, WI 53704

**Contact:** Pablo S. Baker; El Loco Enterprise LLC; 1149 Petra Place #4; Madison, WI 53713

**Owner:** My Le 2310 Pennsylvania Avenue; Madison, WI 53704

**Proposal:** The applicant proposes to allow automobile sales at an auto repair business. Plans show that four (4) existing parking stalls will be converted to display for-sale vehicles. No other site plan changes are proposed.

**Parcel Location:** The subject site is an approximately 0.73 acre (31,818 square foot) parcel located on the northeast side of Packers Avenue, across from Demetral Field. The parcel is in Aldermanic District 12 and within the boundaries of the Madison Metropolitan School District.

**Existing Conditions:** The site includes an existing multi-tenant building and surface parking lot. The applicant operates the existing on-site auto repair business.

**Surrounding Land Use and Zoning:** The property is surrounded by other light manufacturing and auto repair related businesses zoned M1 (Limited Manufacturing District). Demetral Field is across Packers avenue from this site and is zoned R4 (General Residence District).

**Adopted Land Use Plan:** The Comprehensive Plan recommends industrial uses for this site.

**Environmental Corridor Status:** The property is not within an environmental corridor.

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

**Zoning Summary:** The property is zoned M1 (Limited Manufacturing District).

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	34,848 sq. ft.
Lot width	50'	132'
Front yard	0'	Existing building
Side yards	0'	Existing building
Rear yard	10'	adequate
Floor area ratio	2.0	less than 1.0
Number parking stalls	Existing uses plus auto sales/display stalls	33
Accessible stalls	2	1 existing
Number bike parking stalls	3	0
Landscaping	Yes	TBD
Lighting	No	TBD
Other Critical Zoning Items		Urban Design District, Barrier free (ILHR 69)

### **Analysis, Evaluation, & Conclusion**

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The applicant seeks conditional use approval to allow automobile sales at an existing auto repair business in the M1 (Limited Manufacturing) zoning district. This proposal is subject to the conditional use review standards of the Zoning Ordinance.

The applicant is one tenant within a multi-tenant building. According to the letter of intent, other building tenants include a computer business and a glass company.

The proposed automobile sales would be accessory to the auto repair business and is relatively small in size. The site plan shows that four (4) existing parking stalls will be utilized for vehicular display purposes. No physical site plan changes are proposed. Business hours would be from 7:00 am until 7:00 pm, Monday through Saturday.

Considering the relatively small number of vehicles that will be on-site for sale and that no physical changes are proposed, staff don't anticipate this conditional use would result in any different impacts than what is on-site today. Should the applicant wish to expand the auto sales component or make site plan changes, an alteration to the conditional use would be required.

Staff believe the conditional use standards can be met. While the Comprehensive Plan recommends industrial uses for this site, staff note that some limited commercial and service uses are not necessarily inconsistent with that recommendation, especially when serving users and employees of the area. At the time of report writing, staff was not aware of any neighborhood concerns on this proposal.

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

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Major/Non-Standard Conditions are Shaded

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

The Planning Division recommends that the Plan Commission find that the conditional use standards are met for the proposed conditional use at 2310 Pennsylvania Avenue and **approve** the requested conditional use subject to input at the public hearing, comments from the Planning Division and comments from other reviewing agencies.

1. That this conditional use approval allows for up to four (4) vehicles to be displayed for sale in accordance with the approved site plan. An increase in the number of vehicles offered for display or other site plan changes will require an alteration to this conditional use.

*The following conditions have been submitted by reviewing agencies:*

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

Comments were not included in time to be included in this report.

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

2. When the applicant submits final plans for approval, the automobile sales area and/or parking stalls shall be noted on the plan.
3. "Stop" signs shall be installed at a height of seven (7) feet at all driveway approaches behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
4. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the street, 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'.
5. This agency submitted a report with no recommended conditions of approval.

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

6. The subject property is a multi-tenant commercial/manufacturing facility. The building appears to be subdivided into tenant spaces that are not consistent with the submitted plans. Provide a revised site plan showing tenant spaced and occupancy if said spaces, and obtain Certificate of Occupancy for spaces if required.

7. The final site plan must show parking/display spaces designated for automobile sales area.

8. Meet all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of two accessible stall 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.
9. Provide three (3) bicycle parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or rack from being removed from the location. 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.
10. 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

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

11. Coordinate/update addresses with City Engineering.
12. Post addresses in accordance with Madison General Ordinances.

**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.