



Report to the Plan Commission

February 18, 2013

Legistar I.D. #29089
1219 North Sherman Avenue
Conditional Use Request

Report Prepared By:
Heather Stouder
Planning Division Staff

Requested Action: Approval of a 5,400 square foot food processing facility, which requires a conditional use review in the CC-T (Commercial Corridor – Transitional) District.

Applicable Regulations & Standards: Section 28.183 provides the guidelines and standards for the approval of conditional uses.

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses can be met, and **approve** the request.

Background Information

Applicant/Project Contact: Mark Lane; Iconica; 901 Deming Way, Madison WI, 53717

Property Owner: The Alexander Company; 145 E. Badger Rd., Ste. 200; Madison, WI, 53713

Proposal: The applicant proposes to utilize an approved but not yet constructed 5,400 square foot commercial building as a food processing facility in the CC-T (Commercial Corridor - Transitional) District.

Parcel Location: 1219 North Sherman Avenue is located on the east side of North Sherman Avenue between Aberg Avenue and Roth Street; Aldermanic District 12 (Rhodes-Conway); Madison Metropolitan School District.

Existing Conditions: The subject site is nearly 15,000 square feet in size, and part of a 14-acre planned commercial site developed with a multi-tenant commercial building (Northgate Shopping Center). The subject site was recently approved for the construction of a new 5,400 square foot commercial building, which would house the proposed food processing facility.

Surrounding Land Use and Zoning: To the north, south, and east, commercial uses (dry-cleaning, restaurant, daycare, and multi-tenant retail building) in the C2 (General Commercial) District. To the west, across North Sherman Avenue, a bank in the C3L (Commercial Service and Distribution) District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Community Mixed-Use for this area. The Northport-Warner Park-Sherman Neighborhood Plan (2008) recommends mixed-use redevelopment of this area.

Environmental Corridor Status: These properties are not located within a mapped environmental corridor.

Public Utilities and Services: The area is served by a wide range of urban services, including Metro Transit Routes 2, 22, 28, and the nearby North Transfer Point.

Zoning Summary: The property is in the CC-T District, but the site plan was recently approved based on standards in the former C2 District. CC-T District requirements are listed below.

Requirements	Required	Proposed
Front yard setback	Maximum of 65', or 85' with conditional use.	As shown on previously approved plan
Side yard setback	None unless needed for access	Adequate
Rear yard setback	The lesser of 20% of lot depth or 20 feet	As shown on previously approved plan
Maximum lot coverage	85%	Less than 85%
Maximum height	5 stories / 68 feet maximum	1 story

Site Design

No. Parking stalls	1 per employee max	18, as shown on previously approved plan
Accessible stalls	TBD	1
Loading	0	0
Number bike parking stalls	1 per 5 employees	TBD
Landscaping	Yes	Yes, previously approved
Lighting	Yes	Existing

Other Critical Zoning Items: Utility Easements, Barrier Free (ILHR 69)

Prepared by: Pat Anderson, Asst. Zoning Administrator

Project Description, Evaluation, and Conclusion

The applicant proposes to utilize a recently approved (but not yet constructed) building as a small-scale food processing facility. As approved by the Plan Commission on December 17, 2012, and by the Urban Design Commission on December 19, 2012, the building will be a single-story, 5,400 square foot commercial building utilizing a new parcel in the middle of the existing surface parking lot at the Northgate Shopping Center. The facility will have 18 automobile parking spaces, bicycle parking, a private sidewalk for pedestrian circulation around the building, a trash storage area behind the building, and landscaping.

As noted in the letter of intent, the facility is intended to be open for use 24 hours per day and seven days per week. All food processing will take place inside five commercial kitchen areas, and due to the small size of the facility, most associated loading and unloading will likely take place in small trucks and vans, although there may be an occasional full-sized semi truck on site. Staff believes that in this location, the proposed light production and processing use meets the conditional use standards. Noise, odors, and other side effects should be completely contained within the building, and will be required to be contained on the property, as noted in the Zoning comments. Neither the use nor the associated traffic should negatively impact nearby uses.

As part of the larger planned commercial site, a pedestrian connection from North Sherman Avenue is shown to traverse the parking lot, connecting with the proposed building and further to the main existing multi-tenant commercial building on the eastern edge of the property. Traffic Engineering staff have incorporated additional comments on these proposed pedestrian connections as part of this review.

Staff believes that the conditional use standards can be met with this proposal, and recommends that the Plan Commission **approve** the proposal, subject to conditions approved by the Plan Commission on December 17, 2012, input at the public hearing, and comments and conditions from reviewing agencies.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

Staff recommends that the Plan Commission find that the conditional use standards can be met, and **approve** the proposal, subject to conditions approved by the Plan Commission on December 17, 2012, input at the public hearing and additional comments and conditions from reviewing agencies below:

The following conditions have been submitted by reviewing agencies:

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

1. It is understood that this conditional use application relates to the approved use and zoning of the lot and that the related CSM approval and Conditional Use approval for the site modifications are still actively being sought. The Applicant shall comply with all conditions of the Certified Survey Map approval letter from the Planning Division for 1127 N. Sherman Avenue and the Conditional Use approval letter from the Planning Division dated December 18, 2012 for 1127 N. Sherman Avenue
2. Provide a traffic control plan which shows no lane restrictions during peak hours and two-way traffic at all times.
3. The pending Certified Survey Map (CSM) for this property shall be completed and recorded with the Register of Deeds (ROD) prior to issuance of building/occupancy permits. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel-Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this newly created land record.

4. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
- b) Internal walkway areas
- c) Internal site parking areas
- d) Lot lines and right-of-way lines
- e) Street names
- f) Stormwater Management Facilities
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

Zoning Administrator (Contact Pat Anderson, 266-5978)

5. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes, prior to sign installations.
6. Pursuant to the supplemental regulations in MGO Section 28.151, all limited production and processing uses shall be compatible with adjacent nonindustrial uses. Odors, noise, vibration, glare, and other potential side effects of manufacturing processes shall not be discernible beyond the property line.
7. Subject to MGO Section 28.173(9)(b), buildings shall have a clearly defined, highly visible customer entrance marked by canopies, porticos, overhangs, arcades, facade recesses, or projections, or similar features.

8. Pursuant to MGO Section 28.14(4)(e), Parking Requirements for Persons with Disabilities: The provisions contained in Wis. Stat. 101.12, 346.503, and 346.56 and any related Wisconsin Administrative Code sections are hereby adopted by reference and made applicable to all parking facilities whenever constructed.
9. Subject to MGO Section 28.141(6)(d), Zoning lots and uses that exceed maximum parking requirements as of the effective date of this ordinance may continue to maintain existing parking but shall not increase that parking without conditional use approval.
10. Bike parking shall comply with MGO Table 28I-3 (General Regulations). Bicycle parking design and location shall comply with MGO Section 28.141(11). A bike-parking stall is two feet by six feet with a five-foot access area. Provide details on final plans.

Water Utility (Contact Dennis Cawley, 261-9243)

11. This property is not in a wellhead protection district.
12. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21.

Traffic Engineering (Contact Scott Langer, 266-5987)

13. The applicant shall expand Islands within the existing parking lot to provide separation between parked vehicles and pedestrian walkway similar to the walkway along the northeast side of the parking lot. Islands shall be constructed to include ADA accessible pedestrian ramps. These improvements shall be made to all walkways shown on the plan leading to the newly developed property.
14. When the applicant shall submit 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 and proposed property lines, addresses, one contiguous plan (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, semitrailer movements and vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'. Contact City Traffic Engineering if you have questions.
15. The Developer 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.
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.