

## PLANNING DIVISION STAFF REPORT

May 18, 2015

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 2121 North Stoughton Road (District 17 - Ald. Baldeh)  
**Application Type:** Conditional Use  
**Legistar File ID #** [38018](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report includes comments from other City agencies, as noted.

### Summary

**Applicant and Property Owner:** Hector Adame; 2121 North Stoughton Road; Madison, WI 53704

**Contact:** Jose Medina; 6332 Alison Lane; Madison, WI 53711

**Requested Action:** Approval of a conditional use to allow limited production and processing and outdoor storage in an existing commercial building in CC (Commercial Center) Zoning.

**Proposal Summary:** The applicant seeks approval to allow wooden pallet production and associated outdoor storage. Both uses require conditional use approval. The subject site is currently approved to have an auto service business, which staff understands would also remain. The Zoning Administrator has determined that such a use is allowed with conditional use approval as "limited production and processing." The fenced storage area is proposed between the two existing buildings, as shown on the site plan.

**Applicable Regulations & Standards:** Table 28D-2 lists "limited production and processing as a conditional use" in the CC (Commercial Center) Zoning District. The Supplemental Regulations for this use are listed in Section 28.151 and state that "All such 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. Accessory outdoor storage is also allowed with conditional use approval and must comply with the Supplemental Regulations which require such areas be screened by commercial-grade fencing or other materials between 6-8 feet in height. These Supplemental Regulations further prohibit the placement of outdoor storage within required front yards and between the principal building and the street.

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request to allow limited production and processing and outdoor storage in an existing commercial building in CC (Commercial Center) Zoning at 2121 North Stoughton Road. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

### Background Information

**Parcel Location:** The subject site is a 1.4-acre parcel located on the west side of North Stoughton Road (USH 51), midblock between Kinsman Boulevard and Pierstorff Street. The site is within Aldermanic District 17 (Baldeh) and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes two buildings and surface parking. It is currently utilized for automobile services.

**Surrounding Land Use and Zoning:**

North: Veterinary clinic with two-family residence to the north and undeveloped land beyond zoned CC (Commercial Center District);

South: Parcel shipping facility with other commercial uses, beyond, zoned CC;

East: Warehousing facility zoned CC with Reindahl Park, zoned PR (Parks and Recreation District), beyond; and

West: Warehousing and office facilities zoned IL (Industrial Limited District).

**Adopted Land Use Plans:** The Comprehensive Plan recommends general commercial uses for the subject property.

**Zoning Summary:** The site is zoned CC (Commercial Center District).

	Required	Proposed
Number Parking Stalls	0	Existing, TBD, less than max.
Accessible Stalls	TBD	TBD
Loading	1	TBD
Number Bike Parking Stalls	TBD	TBD
Landscaping	Yes	TBD
Lighting	TBD	TBD
<b>Other Critical Zoning Items</b>	Barrier Free (ILHR 69)	

Table Prepared by Matt Tucker, Zoning Administrator

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor (Map F4).

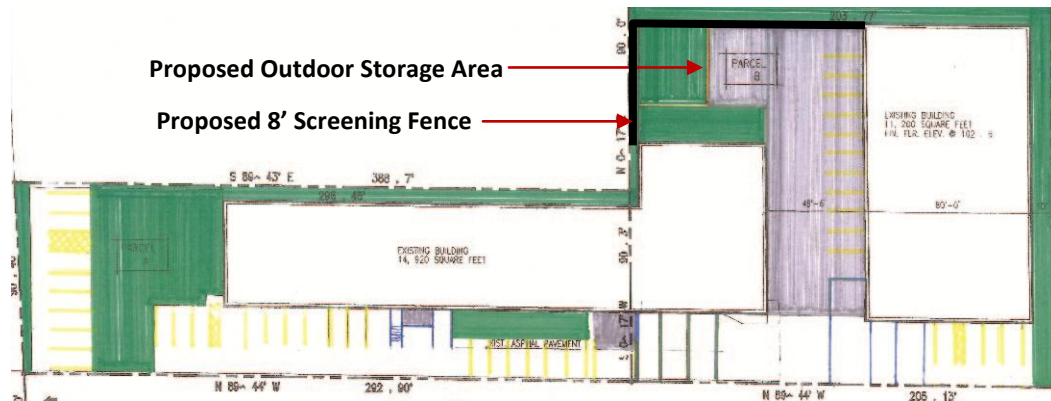
**Public Utilities and Services:** The property is served by a full range of urban services.

## Project Description, Analysis and Conclusion

The applicant requests approval of two conditional uses. The first is to establish a “limited production and processing” facility to allow for the assembly of wooden pallets. The second conditional use is for accessory outdoor storage. Both aspects of this request are subject to the Conditional Use Approval Standards.

The subject site includes two buildings and is currently utilized for auto-related services. While these uses are understood to continue, the applicant seeks approval to manufacture wooden pallets. The Zoning Administrator has determined that this use is considered a “limited production and processing facility” and can be allowed with conditional use approval. The Supplemental Regulations for this use are listed in Section 28.151 and state that “All such 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.”

The second conditional use request is to establish a small, fenced storage area between the two subject buildings. An excerpt from the submitted site plan is below:



The letter of intent states that the storage area will be enclosed with an eight foot tall fence. The adjacent loading zoning will be reconfigured and converted from gravel to concrete. Such details should be clearly defined in the plans submitted for final sign-off.

The supplemental regulations for outdoor storage include the following applicable standards that apply to this request:

- a) Outdoor storage shall be located outside of the front yard setback and shall not be placed between the principal building and the abutting street.
- b) Outdoor storage shall be completely screened from any adjacent street, sidewalk, public walkway, public park.

Staff believes the Conditional Use standards can be met. From staff's discussions with the applicant, the pallet manufacturing component would occur indoors and is not anticipated to result in noise or odor impacts. Provided that any outdoor storage occurs within the screened area, staff does not anticipate that this will negatively impact surrounding properties. If approved, the Plan Commission retains "continuing jurisdiction" authority, meaning that should complaints arise the Commission could take further action, requiring additional conditions or possible revocation of either of the conditional uses should the Commission find that the approval standards cannot be met. At the time of report writing, staff had not received any public comments on this proposal.

## Recommendation

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

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request to allow limited production and processing and outdoor storage in an existing commercial building in CC (Commercial Center) Zoning at 2121 North Stoughton Road. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

**Recommended Conditions of Approval:** Major/Non-Standard Conditions are Shaded

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

1. That the site plan submitted for final sign-off clearly labels the location of the screening fence and pavement type (including areas of gravel or concrete). Other improvements described in the letter of intent including the retaining wall and loading zones should also be clearly depicted and drawn to scale for final review by City Agencies.

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

2. The site plan shall show and note the 35' wide common access right of way over the west side of the site per Document No. 992750.
3. The site plan shall show and note the 40' wide Easement for Ingress and Egress over the parcel to the south per Document No.'s 1012687 and 1927650.
4. A portion of the east side of this site was conveyed to the Wisconsin Dept. of Transportation by Warranty Deed Doc No. 4636529 for Bartillon Drive. The site plan shall be revised to reflect this conveyance of approximately 8 feet in width.
5. The site plan shall be revised to accurately reflect the actual site conditions.
6. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
7. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
8. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
9. 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 5.0 tons per acre per year.
10. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
11. 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).

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

12. Insufficient dimensions to properly review this plan; it appears the parking adjacent North Stoughton Road does not have an adequate backup / drive aisle. The applicant shall revise the plan to demonstrate MGO 10.08 compliant parking dimensions or remove the parking.

13. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall contact David Kreitzmann, Wisconsin Department of Transportation (608-516-6497), with site plans sets for review and approval. The applicant shall return a set of site plans or letter with WDOT-approved copies to the City of Madison Traffic Engineering Division.
14. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
15. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
16. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
17. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Zoning Administrator** (Contact Matt Tucker, 266-4569)

18. Provide a detailed final site plan, based upon a survey or subdivision plat, which accurately shows all parking, buildings, storage areas, paved areas and green space on-site. All parking spaces, access aisles and building setbacks shall be shown on the final plan.
19. Provide final details reflecting a complaint lot coverage condition. Note: current development exceeds lot coverage requirements, but said non-conforming may be maintained at its current level but not increased.

20. Provide information of existing tenants in building, so parking, bike parking and loading requirements may be calculated.
21. Clearly identify the outdoor storage area and associated screening on the final site plan. Note: Outdoor storage shall comply with supplemental regulations per Sec 28.151.

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

22. Refer to IFC 315.4 for outside storage limitations. These limitations would be in addition to any zoning regulations.
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**Water Utility** (Contact Dennis Cawley, 261-9243)

23. This property is not located 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 will not need a copy of the approved plans.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

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

This agency did not provide comments for this request.