

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
March 24, 2008**

RE: LD. # 09623 Conditional Use Application – 801 Atlas Avenue

1. Requested Action: Approval of a conditional use to allow auto sales in a property zoned M1.
2. Applicable Regulations: Section 28.10(4) (d) (20) identifies automobile sales as a conditional use in the M1 district. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Kevin Firchow, AICP

GENERAL INFORMATION

1. Applicant & Contact: Lee Loveall, Jr; Family Auto Sales; 123 Sioux Drive; Edgerton, WI 53534

Property Owner: John DuBois; 801 Atlas Avenue; Madison, WI 53714
2. Development Schedule: The applicant indicates in the letter of intent that he wishes to proceed as soon as possible.
3. Location: An approximately one-acre parcel located at the corner of Atlas Drive and Atlas Court, just east of Stoughton Road and north of Cottage Grove Road. The project is in Aldermanic District 3; Madison Metropolitan School District.
4. Existing Conditions: The site includes one three-tenant building and surface parking lot. The two tenants include automobile service-related business: an auto repair shop and detailing facility. One tenant space is currently vacant and would be the office for the proposed auto sales facility.
5. Existing Zoning: The property is zoned M1 (Limited Manufacturing District).
6. Proposed Land Use: The applicant wishes add an auto sales facility to the site. No exterior building or site changes are planned.
7. Surrounding Land Use and Zoning:

North: Industrial building, zoned M1 (Limited Manufacturing)
South: Professional office, zoned C3 (Highway Commercial District)
East: Truck rental facility, zoned M1 (Limited Manufacturing)
West: Vacant restaurant, zoned M1 (Limited Manufacturing)

8. Adopted Land Use Plan: The Comprehensive Plan recommends this site for “Industrial” uses.
9. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
10. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11).

ANALYSIS, EVALUATION & CONCLUSION

The applicant requests conditional use approval to operate an auto sales facility in a property zoned M1 (Limited Manufacturing District). Auto sales are a conditional use in this district. The site is just east of Stoughton Road, near its interchange with Cottage Grove Road.

The proposed business would be a tenant in an existing 9,900-square foot building. The building includes three tenant spaces, with two of them occupied by automobile service establishments. Businesses include an auto repair shop and detailing facility, with the latter also operated by the applicant. The office for the auto sales business would occupy the vacant 1,800 square foot space adjacent to the detailing facility. This portion of the structure features the building’s only masonry facade and has large storefront windows.

The proposed hours of operation would be 9:00 am to 6:00 pm Monday through Saturday. The business would be closed on Sunday.

The subject property is approximately one-acre in area and includes 62 parking spaces. Plans submitted with this application do not show any changes to building or site. The applicant indicates that he would have 15 to 20 automobiles on display at one time. Additionally, the applicant estimates up to 10 vehicles could be stored overnight in the detailing shop, if necessary.

The Planning Division believes this use could meet the standards for conditional uses and note the following considerations. One consideration is the Comprehensive Plan, which recommends “industrial” uses for the subject property. While that Plan does not explicitly recommend against auto sales in industrial areas, it states that such districts “are not intended for retail or office uses not related to an industrial use, except for limited retail goods and services provided primarily to employees and users of the district.” Planning staff believe that the proposed small-scale auto sales facility could be considered a “limited service” business serving existing area customers, providing some consistency with this recommendation. Staff note the property already includes auto-related businesses and is located at the edge of an existing commercial district featuring other highway-oriented commercial uses.

The subject property is within the Stoughton Road Revitalization Plan study area. The draft plan has now been introduced for adoption and specifically discourages additional auto dealerships at other locations along Stoughton Road and generally discourages this type of development throughout the study area. The Plan does not provide specific recommendations for the subject site but includes it within a larger area recommended to enhance the corridor's open space character and promote a "conservation-oriented aesthetic and function." Upon a tour of the surrounding area, staff note that the existing property has only limited visibility from Stoughton Road as existing vegetation and buildings screen much of this site.

Considering the surrounding context, staff do not believe that the establishment of a small auto sales business would have a substantial impact on aesthetics in the area or the draft plan's recommendation to enhance open spaces along Stoughton Road. The adjacent properties include several minimally screened surface parking lots highly visible from Stoughton Road and surrounding streets. The adjacent property to the east, for example, provides the rental of trucks and trailers with many vehicles parked adjacent to the right-of-way. On the subject property, a six-foot wide landscape area provides additional on-site green space between the parking lot and right-of-way that could reduce the visual impact of autos parked on site. It is recommended the applicant works with staff and prepares a compliant landscape plan as a condition of approval.

Staff note that the subject property sits between relatively large commercial and industrial areas with no residential neighborhoods in close proximity. Staff is therefore not concerned with noise or traffic conflicts that can exist between residential uses and auto sales businesses.

Based on the information provided, staff do not anticipate the establishment of this business at this location would provide conflicts with surrounding uses nor impair or diminish the use, value, or enjoyment of nearby properties.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** the applicant's request for a conditional use to allow automobile sales, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant meets with planning staff and prepares a landscape plan for the site to provide compliance with current landscape and parking lot standards.



Department of Public Works
City Engineering Division

608 266 4751

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City Engineer

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Joseph L. DeMorett, P.G.

GIS Manager
David A. Davls, R.L.S.

Financial Officer
Steven B. Danner-Rivers

DATE: March 14, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 801 Atlas Avenue Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. In accordance with 10.34 Madison General Ordinances and USPS guidelines, the addresses for this site shall be modified as follows:

Proposed Used Car Sales
801 Atlas Ave.
Suite #101

Existing Attention to Detail
801 Atlas Ave.
Suite #103

Existing DuBois Auto Clinic
801 Atlas Ave.
Suite #105

The primary address number of "801" shall be secured to the exterior of the building in a conspicuous position that is plainly visible from the street. The City Engineer and Fire Marshal strongly recommend that Suite 101, 103 and 105 designations also be posted at the appropriate business front door entrances.

GENERAL OR STANDARD REVIEW COMMENTS - NONE





Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

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215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
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March 13, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **801 Atlas Avenue – Conditional Use – Auto Sales**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. The applicant shall indicate the type of bicycle racks to be installed and location by the entrances outside the building.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. 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'.
4. A "Stop" sign shall be installed at a height of seven (7) feet at the 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.
5. The applicant shall modify and dimension existing and proposed parking stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area.

6. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
7. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Lee Loveall Jr
Fax: 608-884-7228
Email: thefnpainter@aol.com

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: March 24, 2008

To: Plan Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: 801 Atlas Ave.

Present Zoning District: M-1

Proposed Use: Auto Sales

Conditional Use: 28.10(4)(d) 20. Automobile sales establishments are a conditional use in the M-1 district.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). None.

GENERAL OR STANDARD REVIEW COMMENTS

1. The final site plan must reflect compliance with parking lot geometrics as outlined in MGO 10, and provide parking spaces for all uses on site. Parking spaces designated for automobile display must be identified on final site plan.
2. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of three 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.
3. Provide six (6) 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 racks 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.

4. 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

5. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	45,064 sq. ft.
Lot width	50'	adequate
Front yard	0'	Existing building
Side yards	0'	Existing building
Rear yard	10'	adequate
Floor area ratio	2.0	less than 1.0
Building height	--	1 story

Site Design	Required	Proposed
Number parking stalls	4 car sales/showroom 9 total plus display stalls	TBD (1 & 4)
Accessible stalls	3	2 existing (2)
Number bike parking stalls	6	0 (3)
Landscaping	Yes	(4)
Lighting	No	(5)

Other Critical Zoning Items	
Urban Design	No
Flood plain	No
Utility easements	None shown
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.