



PREPARED FOR THE PLAN COMMISSION

Project Address: 3032 Progress Road
Application Type: Conditional Use
Legistar File ID # [43157](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant: Mike Wheeler, Sit Means Sit Dog Training; 3032 Progress Drive; Madison.

Property Owner: McAllen Investments, LP; 3325 Agriculture Drive; Madison.

Requested Action: Approval of a conditional use to allow animal boarding in an existing multi-tenant industrial building at 3032 Progress Road in Urban Design District 1. As part of the approval, a conditional use for indoor recreation for the existing dog training facility is also recommended for approval.

Proposal Summary: The applicant proposes to expand an existing dog training facility opened in 2012 into an adjacent tenant space in a multi-tenant industrial building to allow introduction of boarding services. Occupancy of the expanded space will commence as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: Table 28F-1 in Section 28.082(1) of the Zoning Code identifies indoor recreation and animal boarding facilities, kennels, and animal shelters, defined as “any lot or premises on which dogs, cats and other household pets are kept, boarded or raised for sale,” as conditional uses in the IL (Industrial–Limited) zoning district. Animal boarding facilities, kennels, and animal shelters are subject to Supplementary Regulations in Section 28.151, which require that any outdoor dog runs or exercise pens be located at least 200 feet from a residential use or district, and that any outdoor portion of an animal boarding facility, kennel, shelter, or animal daycare be screened from view from adjacent property by a solid fence, hedge or similar plant material not to exceed 6 feet in height. Section 28.183 provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission. The site is located in Urban Design District 1. Any exterior changes to the building to accommodate the proposed expansion, including signage, will require separate approval by the Urban Design Commission or its secretary.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow animal boarding and an indoor recreation facility (for dog training) at 3032 Progress Road subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site is an approximately 10-acre parcel located on the west side of Progress Road, approximately 900 feet north of Femrite Drive and one block east of S. Stoughton Road; Aldermanic District 16 (Demarb); Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is developed with three tall, one-story multi-tenant buildings totaling 122,500 square feet of floor area, which house various light industrial and commercial users. The

majority of the space surrounding the buildings is developed with surface parking and loading areas to serve the various users. The site is zoned IL (Industrial–Limited District).

Surrounding Land Use and Zoning: The subject site is generally surrounded by a variety of large-scale industrial, and heavy commercial uses and buildings located east of S. Stoughton Road from the Beltline Highway north to E. Buckeye Road, which are zoned IL (Industrial–Limited District) or IG (Industrial–General District). A City-owned greenway abuts the southern edge of the property.

Adopted Land Use Plans: The subject site and surrounding properties east of Stoughton Road are recommended for Industrial uses in the Comprehensive Plan.

Zoning Summary: The site is zoned IL (Industrial–Limited District):

Requirements	Required	Proposed
Lot Area	20,000 sq. ft.	435,196 sq. ft.
Lot Width	75'	585.57'
Front Yard	N/A	63'
Side Yards	Greater of 15' or 20% building height	Adequate, existing
Rear Yard	30'	40'
Maximum Lot Coverage	75%	Existing
Maximum Building Height	N/A	Existing, 1 story
Auto Parking	0	84 (serving entire building)
Bike Parking	Animal boarding: 1 per 2,000 sq. ft. of floor area; Animal training (as determined by Zoning: 1 per 5,000 of sq. ft. floor area	8 stalls located at building 24 stalls total (see conditions)
Loading	0	Existing
Building Forms	Industrial Building	Existing , complies with requirements
Other Critical Zoning Items		
Yes:	Urban Design (Urban Design Dist. 1), Utility Easements, Floodplain, Barrier Free, Wetlands	
No:	Wellhead Protection, Landmarks, Waterfront Development, Adjacent to Park	
<i>Prepared by: Jenny Kirchgatter, Assistant Zoning Administrator</i>		

Environmental Corridor Status: The subject property is not located within a mapped environmental corridor. The adjacent greenway is designated as environmental corridor.

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

Project Description, Analysis and Conclusion

The applicant currently operates a dog training facility in one of the tenant spaces in a 50,000 square-foot multi-tenant industrial-commercial building located at the center of the approximately 10-acre subject site. The building and those adjacent to the north and south sit perpendicular to Progress Road, a north-south local street that extends between Femrite Drive and Advance Road and provides access to a variety of light industrial and commercial uses of varying size. In addition to the dog training business, other uses in the building include a heating equipment sales business and commercial equipment rental business.

The applicant is requesting conditional use approval to expand his business to offer animal boarding, which will occur in a portion of the adjacent tenant space following a minor expansion of the leased area within the building. The letter of intent indicates that retail hours for the training classes will remain 9:00 AM to 9:00 PM, with staff staying with the boarded animals overnight. No outdoor runs are proposed, with kennel staff to accompany the boarded dogs outside for physical activity, etc. Acoustic tiles will be installed to reduce noise within the space from the animals.

The dog training facility was first established on the subject site in 2012 in the former M1 Limited Manufacturing District of the 1966 Zoning Code. The Zoning Administrator has determined that the existing use qualifies as "indoor recreation," defined by the 2013 Zoning Code as "a facility for the indoor conduct, viewing, or participation in recreational activities," and believes that it would be appropriate to retroactively grant a conditional use for the business concurrent with the consideration of the conditional use for animal boarding.

The Planning Division believes that the Plan Commission can find that the conditional use standards met with the proposal to introduce animal boarding at the subject site. Likewise, staff does not object to the retroactive approval of a conditional use for indoor recreation. Staff believes that the conditional uses should have little or no impact on the uses, values and enjoyment or normal and orderly development of surrounding properties, which are overwhelmingly commercial and non-residential in character. Staff is unaware of any concerns about the operation of the dog training facility, and views the boarding as an extension of the existing training use.

Recommendation

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use to allow animal boarding and an indoor recreation facility (for dog training) at 3032 Progress Road subject to input at the public hearing and the following conditions:

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

Planning Division

1. The applicant shall revise the final application materials to include the existing and proposed square-footage devoted to the animal training and boarding facility.
2. Any exterior changes to the building to accommodate the proposed expansion, including signage, shall be approved by the Urban Design Commission or its secretary.

The following comments were submitted by reviewing agencies:

City Engineering Division (Contact Brenda Stanley, 261-9127)

This agency reviewed this request and has recommended no conditions of approval.

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

3. The driveway and pavement configuration shown on the site plan does not accurately show the current conditions. The site plan shall be revised accordingly.

Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed this request and has recommended no conditions of approval.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

4. The applicant indicates that there will be no outdoor runs or exercise pens. If outdoor runs or exercise pens are installed, they must be screened from view. Any outdoor portion of an animal boarding facility, kennel, shelter, or animal daycare shall be screened from view from adjacent property by a solid fence, hedge or similar plant material not to exceed six feet in height.
5. Work with Zoning staff to determine the minimum bicycle parking requirement for the dog training and kennel facility. A minimum of one stall per 2,000 square feet is required for the kennel and office areas. A minimum of one stall per 5,000 square feet is required for the training space.

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

This agency reviewed this request and has recommended no conditions of approval.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency reviewed this request and has recommended no conditions of approval.

Parks Division (Contact Janet Schmidt, 261-9688)

This agency reviewed this request and has recommended no conditions of approval.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

This agency reviewed this request and has recommended no conditions of approval.