

# PLANNING DIVISION STAFF REPORT

May 10, 2021



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2418 South Stoughton Road (15<sup>th</sup> Aldermanic District, Ald. Foster)  
**Application Type:** Conditional Use  
**Legistar File ID #:** [64748](#)  
**Prepared By:** Colin Punt, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Luke Whetstone; Badger City Auto Sales and Service LLC; 2957 Packers Ave; Madison, WI 53704

**Requested Action:** Approval of a Conditional Use to allow auto repair in a Commercial Corridor-Transitional (CC-T) district at 2418 South Stoughton Road per MGO §28.088(2).

**Proposal Summary:** The applicant seeks approval of an auto sales and auto repair facility in an existing building.

**Applicable Regulations & Standards:** This proposal is subject to the standards for conditional uses, MGO §28.183(6).

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow auto repair in an existing building at 2418 South Stoughton Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

## Background Information

**Parcel Location:** The 19,012-square foot property is located on the west side of the South Stoughton Road service road approximately 100 yards north of Pflaum Road. It is located within Aldermanic District 15 (Ald. Foster) as well as the Madison Metropolitan School District.

**Existing Conditions and Land Use:** According to assessor data, the property is developed with a one-story 10,320-square foot building constructed in 1970. The property is zoned Commercial Corridor - Transitional (CC-T) District.

### Surrounding Land Use and Zoning:

**North:** A warehouse and office building zoned CC-T (Commercial Corridor - Transitional District);

**East:** Across South Stoughton Road, warehouse, office, commercial buildings, zoned CC-T and SE (Suburban Employment District);

**South:** Gas station and MG&E substation, zoned CC-T; and

**West:** A warehouse and office building zoned CC-T, with one- and two-unit residences zoned SR-C3 (Suburban Residential-Consistent 3 District) beyond.

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2018) recommends General Commercial (GC) uses for the subject parcel. The [Stoughton Road Revitalization Plan](#) (2008) places this location within the “Grid Development Area” and recommends Community Mixed Use.

**Zoning Summary:** The property is in the Commercial Corridor - Transitional (CC-T) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	19,012
Lot Width	None	95
Front Yard Setback	None	Existing, no change
Side Yard Setback	5 ft	Existing, no change
Rear Yard Setback	20 ft	Existing, no change
Maximum Lot Coverage	85%	Existing, no change
Maximum Building Height	5 stories/68 ft	Existing, no change

Site Design	Required	Proposed
Number Parking Stalls	No minimum, 13 maximum	12 (see Zoning comment 2)
Accessible Stalls	1	1
Loading	No	No
Number Bike Parking Stalls	2	0 (see Zoning comment 3)
Landscaping	Yes	Existing, no change
Lighting	No	No (see Zoning comment 4)
Building Forms	Yes	Existing, no change
<b>Other Critical Zoning Items:</b>	Utility Easements	

*Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

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

## Project Description, Analysis, and Conclusion

The applicant, representing Badger City Auto Sales and Service, is requesting conditional use approval for vehicle sales and service at an existing building at 2418 South Stoughton Road. In addition to vehicle repairs, the applicant requests the ability to do class 4 vehicle salvage inside the building. According to the letter of intent, class 4 salvage is the least invasive salvage class and all salvaging activities would occur inside the building and salvaged cars would not be stored outside. Cars for salvage and cars not yet ready for sale will be stored within the warehouse/garage portion of the building. Vehicle ingress and egress to the building for repair or salvage will be through an existing overhead door at the southeast corner of the building. Cars for sale will occupy the double-loaded corridor of parking at the northeast corner of the site. Customer parking will be along the southeast edge of the lot. Interior work includes the installation of vehicle lifts and auto repair tools and equipment. Proposed changes to the exterior of the building are limited to paint, new windows, and minor repairs as needed. No other building alterations are proposed. Proposed hours of operation are 8:30 a.m. to 6:30 p.m. The applicant intends to begin vehicle sales immediately and vehicle repair as soon as possible if the request is approved, with a target date of May 1.

The applicant is requesting approval of a Conditional Use to allow a vehicle service use in a Commercial Corridor-Transitional district per MGO §28.067(2), a request that is subject to the Conditional Use standards. The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) M.G.O. are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

The Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan. The [Comprehensive Plan](#) (2018) recommends General Commercial (GC), which provide the city's population with a wide range of retail goods and services, including certain business and professional offices. The [Stoughton Road Revitalization Plan](#) (2008) places this location within the "Grid Development Area" and recommends Community Mixed Use. The site straddles two development types recommended in the special area plan. The area nearer Pflaum Road is recommended for a "gateway building" of two or more stories situated to create a gateway effect along Stoughton Road and the adjacent neighborhoods. The more northerly area is recommended for a neighborhood mixed-use building of two to four stories in height with active ground floor uses and residential or office on upper floors.

Automobile service, among other similar auto-oriented uses, are further restricted by Supplemental Regulations, found in MGO §28.151. Automobile serving and repair activities must occur within an enclosed building and these activities are limited to the hours of 7 a.m. to 7 p.m. unless all the building's windows and doors are closed. The storage of vehicle parts, vehicle cleaning, and temporary storage of vehicles during repair or pending delivery to customers is only permitted within the rear yard and building envelope of the site. Staff notes that, per the Zoning Code, a motor vehicle salvage yard is not an allowed use in the CC-T zoning district. As reflected in condition 1 from the Office of the Zoning Administrator, the applicant must revise the plans and application materials to remove the salvage component.

Surrounding uses are predominantly heavy commercial, or vehicle- or highway-oriented commercial uses. Considering the site's location and surrounding uses staff does not foresee negative impacts from this use. Further, while the proposed use may not be consistent with the redevelopment recommendations in the special area plan, as no changes are proposed for the site, Staff does not believe the use would preclude development consistent with the recommendations of the adopted plans. Planning Division staff believes the applicable conditional use standards can be found met. Staff notes that as a conditional use, the Plan Commission retains "continuing jurisdiction" to review and resolve complaints that may arise on the operation of the conditional use.

At the time of report writing, staff is unaware of any comments from the public.

## Recommendation

### **Planning Division Recommendation** (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow auto repair in an existing building at 2418 South Stoughton Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

**Recommended Conditions of Approval**

Major/Non-Standard Conditions are Shaded

**Zoning** (Contact Jacob Moskowitz, (608) 266-4560)

1. A motor vehicle salvage yard is not an allowed use in the CC-T zoning district. Revise the plans and application materials to remove the salvage component.
2. Clarify and dimension the location of the proposed customer parking stalls. For the parking stalls on the neighboring property at 1412 Pflaum Road, please refer to the latest approved plan for this site. Contact our office for a copy.
3. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 2 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
4. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
5. The site shall comply with all supplemental regulations (Sec. 28.151) for auto repair station.

**City Engineering Division - Mapping** (Contact Jeffrey Quamme, (608) 266-4097)

6. There exists a recorded agreement per Doc No 5471533 granting access rights over the lands adjacent to the south. This agreement does not include the use of the adjacent property in the triangle area if that area is to be used for display of cars. The applicant is solely responsible to obtain the necessary right/privilege for any planned use of the triangle area by the user of this site.

**Traffic Engineering Division** (Contact Sean Malloy, (608) 266-5987)

7. In order to improve access control on S. Stoughton Road, the applicant shall remove their Northernmost driveway and replace with curb and gutter.
8. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.

9. 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.
10. 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.
11. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
12. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
13. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
14. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, 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.
15. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

*The Planning Division, City Engineering Division, Fire Department, Parks Division, Forestry Section, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval.*