



PREPARED FOR THE PLAN COMMISSION

Project Address: 1102 N. Sherman Avenue (12th Aldermanic District, Ald. Palm)

Application Type: Conditional Use

Legistar File ID # [43428](#)

Prepared By: Chris Wells, Planning Division

Reviewed By: Jay Wendt, Principal Planner

Report Includes Comments from other City Agencies, as noted

Summary

Applicant & Contact: Nan Mortensen; Dutch's Auto Service; 202 Regas Road; Madison, WI 53714

Property Owner: Nan Mortensen & Crystal Rossman-Maier; 202 Regas Road; Madison, WI 53714

Requested Actions: The applicant requests conditional use approval to re-establish an auto repair station at 1102 N. Sherman Avenue.

Proposal Summary: The applicant wishes to re-establish an auto repair station and to renovate and construct two additions to the existing building. The property was previously an auto repair facility but has been vacant for longer than 12 months.

Applicable Regulations & Standards: Section 28.061 of the Zoning Code lists an Auto Repair Station as a conditional use in the CC-T (Commercial Corridor-Transitional District). Section 28.067(3)(a)3.a. of the Zoning Code states that if there is no on-street parking in front of the lot, a building may be setback up to 85 feet if approved as a Conditional Use. This proposal is subject to the standards for Conditional Uses [Section 28.183] as well as the Supplemental Standards for Auto Repair Stations [Section 28.151].

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 conditional use to allow an auto repair station at 1102 N. Sherman Avenue. This request is subject to input at the public hearing and the comments and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The 0.95-acre parcel is located on the west side of North Sherman Avenue, across from the intersection with Roth Street. This parcel is located within Aldermanic District 12 and is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The parcel contains a roughly 1,650-square-foot structure, built in 1964. Formerly the *All Auto* automobile repair shop, it has been vacant for the past few years. The majority of the western half of the parcel is undeveloped and wooded while the eastern half is paved with approximately 28 parking stalls.

Surrounding Land Use and Zoning:

North: Multi-family residential, zoned PD (Planned Development);

South: A restaurant, Café La Bellitalia, zoned CC-T (Commercial Corridor-Transitional);

East: Across N. Sherman Avenue is a gas station, Capitol Petroleum, zoned CC-T; and

West: Single-family residential located within the Village of Maple Bluff, WI.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends community mixed-use (CMU) development for the subject site and surrounding properties. It also identifies a transit-oriented node for the Northgate Shopping Center located across the street. Grouping the subject parcel and those nearby with the Northgate Shopping Center, the Northport-Warner Park-Sherman Neighborhood Plan recommends commercial mixed-use development for the future development of this area (Page I-32).

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services including 7-day-a-week Metro service along N. Sherman Avenue.

Zoning Summary: The property is zoned CC-T (Commercial Corridor-Transitional)

Requirements	Required	Proposed
Front Yard Setback	85' maximum	84.5'
Side Yard Setback	One-story: 5' Two-story or higher: 6'	16.3' south 52.8' north
Rear Yard Setback	The lesser of 20% of lot depth or 20'	Adequate
Maximum Lot Coverage	85%	Less than 85%
Maximum Building Height	5 stories/ 68'	2 stories
Number Parking Stalls	Auto service station, body shop, repair station: Maximum of 1 per 1,000 sq. ft. of floor area excluding service bays + 2 spaces per service bay (12)	18 (See Comment #14)
Accessible Stalls	Yes	2 (See Comment #13)
Loading	None	None
Number Bike Parking Stalls	1 per 5 employees (2 minimum)	2
Landscaping and Screening	Yes	Yes (See Comment #11)
Lighting	Yes	Yes
Building Forms	Yes	Yes, Free-Standing Commercial Building
Other Critical Zoning Items	Barrier Free (ILHR 69) and Utility Easements	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Project Description

The applicant proposes to re-establish and expand a currently-vacant 1,653-square-foot auto repair station with the intent to repair and service automobiles (not to sell used cars or tires). The existing structure is one story with a 464-square-foot office and a 1,189-square-foot garage with three service bays. The applicant is proposing to add two additions: 1) an 806-square-foot addition to the south to add two garage service bays, and 2) a two-story, 852-square-foot addition to the north to add a new waiting area, restrooms, and break room on the first level and approximately 550-square-foot of office and document storage space on the second. A staircase

providing access to the second level will be added along the west side of this addition. There will be an improved catch basin which will be located within the garage facility and a waste oil tank in a concrete basin added at the rear of the building for external storage. Just to the south of the proposed addition will be a fenced in area to secure trash bins and scrap tires. The applicant is not proposing any changes to the site topography and therefore intends to continue to allow the site to drain into the existing area drains. Eighteen parking stalls, including two handicap accessible stalls, are proposed on the site along with a two-stall bike rack. Building improvements are projected to commence August of 2016 and finish in December of 2016.

Exterior lighting will be provided by two existing lights – one along the north perimeter of the lot and the other along the west - that were installed by MG&E in 2011. The three much older lights - two along the north perimeter of the lot and one along the south - will be removed. The applicant intends to keep the sign on the pole at the front of the property and will submit plans and apply for the appropriate permits as the process moves forward.

The architectural design of the additions greatly emulates that of the existing structure, namely the slope of the roofs and window subdivisions. Three light tubes will also be installed in the roof of the northern addition to help deliver natural light to the interior spaces below. Cladding for the front (East) elevation will be primarily a cementitious panel system, while a concrete masonry unit (CMU) will be used on the rear (West) elevation, and a combination of the two will be used on the side elevations. New insulated windows will be installed as will new garage doors.

Proposed hours of operation are Monday through Friday, 8:30am to 5:30pm. The applicant is also requesting the ability to extend the hours of operation to 6:30pm up to twice during each work week (i.e. Monday through Friday) as well as working half days (i.e. 9:00am to 2:00pm) on Saturdays as workload demands.

Analysis and Conclusion

Land Use and Plan Consistency – This proposed use is generally consistent with the Comprehensive Plan recommendation of community mixed-use (CMU) development for the subject site and surrounding properties. It is also generally in line with the Northport-Warner Park-Sherman Neighborhood Plan which recommends commercial mixed-use development for the future development of the greater Northgate Shopping Center area. Staff notes that while the Neighborhood Plan contains specific suggestions and graphics for how the shopping center parcel might be redeveloped, it does not contain any specifics for the subject parcel. Given the fact that the applicant is proposing to re-establish the existing land use, Staff does not feel that this is inconsistent with the either plan.

Conditional Use Standards – The Planning Division believes the conditional use standards can be met and do not believe the proposed auto repair station should not result in significant impacts to the surrounding properties. Factors such as the limited hours of operation – namely the lack of evening or early morning hours; the fact that such loud activities as body work and the use of hydraulic hoists and pits must be performed in an enclosed building (per the supplemental regulations for auto repair facilities); and the other proposed conditions of approval will help mitigate anticipated impacts.

Based on the materials provided, staff believes the use will result in minimum impacts on surrounding properties. As adopted plans recommend that this area eventually be redeveloped as a community mixed-use development, staff does not believe re-establishment of this building as an auto repair station use would preclude nearby properties from redeveloping in accordance to adopted plans. If approved, the Plan Commission retains “continuing jurisdiction” authority over this and every conditional use.

At the time of report writing, staff was not aware of any neighborhood concerns on this request.

In closing, the Planning Division believes the conditional use standards can be met with the request to re-establish an auto repair station in this vacant building and believes that it will be an improvement to the greater Northgate Shopping Center area. Therefore, staff recommends that it be approved by the Plan Commission.

Recommendation

Planning Division Recommendation (Contact Chris Wells, 261-9135)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use to allow an auto repair station at 1102 N. Sherman Avenue. 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

1. Hours of operation shall be Monday through Friday, 8:30am to 5:30pm. The applicant shall also be able to extend the hours of operation to 6:30pm no more than twice each week and shall be allowed to work on Saturdays from 9:00am to 2:00pm as workload demands. Future modifications to the hours of operation of the auto repair station may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.

Engineering Division (Main Office) (Contact Brenda Stanley, 261-9127)

2. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
3. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
4. All damage to the pavement on Sherman Ave, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

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

5. The Anthony Alt site plan survey needs to show the correct street name of N Sherman Ave.

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

6. 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.

7. 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.
8. 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.
9. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

10. The proposed auto repair facility shall comply with the supplemental regulations of Section 28.151 for an Automobile Body Shop, Automobile Repair Station. All automobile servicing and repair activities shall be carried on within the enclosed building.
11. On the site plan or floor plan, identify the areas designated for storage of vehicle parts and refuse. Storage of vehicle parts or refuse shall be located either within the enclosed building or within a screened enclosure. A screened enclosure shall be a minimum of six (6) foot high and constructed of masonry or decorative wood fencing. If storage of vehicle parts or refuse is located inside an enclosure, provide a detail of the screening enclosure.
12. Clarify how the existing paved area labeled as "inventory" will be used.
13. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). The access aisle must extend the full length of the accessible stall.
14. Parking is proposed in excess of the maximum number of spaces. Per Table 28I-3 Off-Street Parking Requirements, the automobile parking maximum is 1 parking space per 1,000 square feet of floor area excluding the service bays plus two (2) spaces per service bay (12 parking stalls total). The Zoning Administrator may approve an increase of up to twenty (20) spaces above the maximum requirement. Submit an application for a Parking Adjustment and supporting documentation per section 28.141(6)(c) with the final plan submittal.
15. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
16. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, 261-9658)

17. Obtain a Repair Garage operational license from Madison Fire Dept prior to business operation begins.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

18. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21.

All unused private wells shall be abandoned in accordance with MGO 13.21.