

PLANNING DIVISION STAFF REPORT

August 24, 2015



PREPARED FOR THE PLAN COMMISSION

Project Address: 502 S. Park Street
Application Type: PD(SIP) Alteration and Conditional Use
Legistar File ID # [39478](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Property Owner: Craig Enzenroth, The Ideal, LLC; 101 E. Main Street, Suite 500; Mount Horeb.

Requested Actions: Approval of an alteration to an approved Planned Development–Specific Implementation Plan and conditional use to allow an animal daycare to occupy a tenant space in an existing mixed-use building located at 502 S. Park Street.

Proposal Summary: The applicant is requesting approval to allow a “doggie daycare” to occupy 3,102 square feet of space on the first floor of The Ideal mixed-use commercial/ residential development. The applicant wishes to commence construction of the tenant space on September 1, 2015, with completion scheduled for November 1, 2015.

Applicable Regulations & Standards: Section 28.098(6) states that “No alteration of a Planned Development District shall be permitted unless approved by the Plan Commission. However, the Zoning Administrator may issue permits for minor alterations that are approved by the Director of Planning and Community and Economic Development...that are consistent with the concept approved by the Common Council.” Section 28.183 of the Zoning Code provides the process and standards for the approval of conditional use permits.

Review Required By: Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** an alteration to an approved Planned Development–Specific Implementation Plan and conditional use to allow a dog daycare to occupy a tenant space in an existing mixed-use building located at 502 S. Park Street subject to input at the public hearing and the conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: The subject site contains approximately 0.77 acres extending along the south side of Drake Street from S. Park Street to a point 90 feet east of S. Brooks Street, Urban Design District 7; Aldermanic District 13 (Eskrich); Madison Metropolitan School District.

Existing Conditions and Land Use: “The Ideal” mixed-use development includes 5,030 square feet of first floor commercial space and 57 apartments, zoned PD.

Surrounding Land Uses and Zoning:

North: “Lane’s” mixed-use redevelopment, zoned PD; single- and two-family residences, zoned TR-C3 (Traditional Residential–Consistent 3 District);

South: Rustic Tavern and second floor apartments at 512-514 S. Park Street, and a two-family residence at 510 S. Park Street, all zoned TSS (Traditional Shopping Street District); single-family residences on the north side of Emerald Street, zoned TR-C3;

West: Single- and two-family residences, zoned TR-C3;

East: La Hacienda Restaurant and George's Flowers, zoned TSS.

Adopted Land Use Plans: The Comprehensive Plan identifies the TSS-zoned portion of the subject site for Community Mixed-Use development and the TR-C3-zoned portion of the site for Low-Density Residential uses. The S. Park Street corridor from Meriter Hospital south to the Beltline Highway is recommended as a Potential Redevelopment Area.

The subject site is also located within the boundaries of the Greenbush Neighborhood Plan, which recommends that properties along the west side of S. Park Street be redeveloped with mixed-use buildings between two- and four-stories in height with neighborhood friendly offices or retail uses on the street-level floor and residential units on upper floors. Moving west, the Greenbush Neighborhood Plan recommends that the existing housing stock located between S. Mills Street and the S. Park Street mixed-use area should be preserved and rehabilitated to create more cohesion between the homes and S. Park Street.

Zoning Summary: The site is zoned PD. The request will be reviewed in the following sections.

Other Critical Zoning Items	
Yes:	Urban Design (UDD 7), Utility Easements, Barrier Free
No:	Wellhead Protection, Floodplain, Landmarks, Waterfront Development
Prepared by: Jenny Kirchgatter, Asst. Zoning Administrator	

Environmental Corridor Status: The property is not located within a mapped environmental corridor (see CARPC Map E8).

Public Utilities and Services: The property is served by a full range of urban services, including seven-day bus service along S. Park Street.

Previous Approval

On October 2, 2012, the Common Council approved a request to rezone 502 S. Park Street and 917-925 Drake Street from R3 (Single- and Two-Family Residence District) and C3 (Highway Commercial District) to Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) [1966 Zoning Code] to allow construction of a mixed-use building containing approximately 4,700 square feet of retail space and 57 apartments following the demolition of an auto body shop and three residences.

Project Description, Analysis and Conclusion

The applicant is seeking approval to allow an approximately 3,100 square-foot first floor commercial space in The Ideal mixed-use development to be used as an animal daycare. "The Dog Haus" will primarily occupy a tenant space at the northeastern corner of the building adjacent to S. Park and Drake streets, with a separate 360 square-foot outdoor dog run also proposed adjacent to the southern wall of the building. The other commercial space in the building is currently occupied by a personal fitness training facility.

The proposed dog daycare will have capacity for 45-60 dogs and proposes to operate from 6:00 AM to 6:00 PM Monday through Friday. No overnight boarding is proposed. Use of the dog run will be limited to groups of 6-12 dogs, and the area will be cleaned and sanitized daily. Changes to the exterior of the building will be limited to installation of a 6-foot tall vinyl fence and canopy structure to enclose the pet run.

Animal daycares are listed as conditional uses in the zoning text for The Ideal planned development similar to how they are regulated in most of the conventional mixed-use and commercial districts, including the TSS zoning of the parcels to the south along S. Park Street. Animal daycares are subject to supplemental regulations in Section 28.151 of the Zoning Code, which require that applicants submit at the time of application written operating procedures, such as those recommended by the American Boarding and Kennel Association (ABKA) or the American Kennel Club (AKC). Such procedures shall be followed for the life of the business and must address the identification and correction of animal behavior that impacts surrounding uses, including excessive barking. The applicant has submitted such documentation, which outlines the operating procedures and certification for the proposed dog daycare.

The Planning Division believes that the Plan Commission can find the conditional use standards met to allow establishment of the proposed animal daycare. While staff is aware of the concerns expressed by a local resident regarding potential impacts from the proposed conditional use, the application materials provided suggest that the facility can be well managed and function well in its relatively compact, urban environment. The proposed daycare will be the second location of the Dog Haus, and staff is unaware of any concerns raised about the existing location on E. Johnson Street, which, like the proposed location, is located in a compact commercial corridor in close proximity to residential uses. Additionally, the Plan Commission will maintain continuing jurisdiction over this conditional use to address any issues that may arise from operation of the proposed animal daycare.

Recommendation

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

The Planning Division recommends that the Plan Commission find the standards met and **approve** an alteration to an approved Planned Development–Specific Implementation Plan and conditional use to allow a dog daycare to occupy a tenant space in an existing mixed-use building located at 502 S. Park Street subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

- 1.) That use of the outdoor dog run by more than one dog at a time not be allowed before 7:00 AM to limit early morning impacts on nearby residents. From 7:00 AM until closing, the dog run may be used in accordance with the letter of intent.
- 2.) That the hours of operation for the overall animal daycare be limited to 6:00 AM to 6:00 PM, Monday through Friday per the letter of intent. The Director of the Department of Planning and Community and Economic Development may consider a minor alteration to the conditional use in the future to further modify the hours of operation for the animal daycare and related dog run following a recommendation by the district alder.

The following conditions have been submitted by reviewing agencies:

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

- 3.) Provide a site plan as required. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 4.) The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 5.) The site plan shall identify the difference between existing and proposed impervious areas.
- 6.) The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 7.) Update Plunkett site plan to show correct address. The Dog Haus address is 502 S Park St. It is not suite 502 of 506 S Park St. Also on Plunkett sheets correct street name from Park St to S Park St.

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

- 8.) The applicant shall submit one contiguous plan for approval. The plan drawing 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.
- 9.) All parking facility design shall conform to the standards in MGO Section 10.08(6).

Zoning Administrator (Contact Matt Tucker, 266-4569)

This agency did not provide comments for this request.

Fire Department (Contact Bill Sullivan, 261-9658)

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances

Water Utility (Contact Dennis Cawley, 261-9243)

Note: This property is not in a wellhead protection district.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not provide comments for this request.

Parks Division (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.