

# PLANNING DIVISION STAFF REPORT

July 28, 2025

PREPARED FOR THE PLAN COMMISSION



**Project Address:** 999 South Park Street (District 13 – Alder Evers)  
**Application Type:** Conditional Use  
**Legistar File ID #** [88773](#)  
**Prepared By:** Colin Punt and Jose Vazquez, Planning Division  
Report includes comments from other City agencies, as noted.  
**Reviewed By:** Kevin Firchow, AICP, Principal Planner

## Summary

**Applicant:** Jon Leatherberry; ScaF; 3944 Aric Ave; Deforest WI 53590

**Owners:** VOELL ESTATE LLC; PO Box 984 Sun Prairie WI 53590

**Requested Action:** The applicant is seeking approval of a conditional use to allow an auto repair station in an existing commercial building.

**Proposal Summary:** The applicant is seeking to operate an auto repair station per §28.065(2) MGO in an existing commercial building at 999 S Park Street.

**Applicable Regulations & Standards:** Standards for conditional use approval are found in §28.183(6) MGO

**Review Required By:** Plan Commission

**Summary Recommendations:** The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use for an auto repair station at 999 South Park Street subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies beginning on page 4.

## Background Information

**Parcel Location:** The 23,230-square foot subject site is located at the northeasterly corner of the intersection of South Park St and West Lakeside Street. The site is within Alder district 13 (Alder Evers) and the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The parcel is zoned TSS (Traditional Shopping Street) and currently developed with a one-story 2,898-square foot shop building with attached office space, originally constructed in 1970.

### Surrounding Land Uses and Zoning:

North: A small-single commercial building, zoned TSS;

West: Across South Park St, a five-story community mixed use building, zoned PD (Planned Development district);

South: Across West Lake St, a mixed-use building, zoned TSS; and

East: Single family residences, zoned TR-C2 (Traditional Residential-Consistent 2).

**Adopted Land Use Plan:** The [Comprehensive Plan](#) (2023) recommends Neighborhood Mixed Use (NMU). The Bay Creek Neighborhood Plan (1991) and Park Street Urban Design Guidelines (2004) and the South Madison Neighborhood Plan all Plans in the area and does not make any recommendations specific to this site.

**Zoning Summary:** The subject property is proposed to be zoned TSS (Traditional Shopping Street district):

Requirements	Required	Proposed
Lot Area (sq. ft.)	None	23,200
Lot Width	None	162 ft
Front Yard Setback	Existing	No change
Max. Front Yard Setback	Existing	No change
Side Yard Setback	Existing	No change
Rear Yard Setback	Existing	No change
Maximum Lot Coverage	Existing	No change
Maximum Building Height	Existing	No change

Site Design	Required	Proposed
Number Parking Stalls	Existing	No change
Electric Vehicle Stalls	None	None
Accessible Stalls	Existing	No change
Loading	None	None
Number Bike Parking Stalls	2	None (1.)
Landscaping and Screening	Existing	No change
Lighting	Existing	No change
Building Form and Design	Existing	No change

<b>Other Critical Zoning Items</b>	Urban Design (UDD 7), TOD Overlay
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*Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator*

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor.

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

## Project Description, Analysis, and Conclusion

The applicant is requesting a conditional use to operate an auto repair business in an existing building at 999 South Park Street. The building was originally constructed in 1970 as a gasoline filling station with attached auto repair station, but it has been used for ambulance service and emergency medical service training since approximately 1990. According to the letter of intent, the applicant intends to return cars to their owners every day and not store any vehicles on site overnight. The letter of intent states that the existing parking lot will be used only by customers. The hours of operation are proposed to be 7 a.m. to 5 p.m. Monday through Friday and 8 a.m. to 3 p.m. on Saturdays.

This request is subject to the standards for conditional uses. This section continues with a summary of adopted plan recommendations, follows with an analysis of conditional use standards, a brief overview of public comments received, and finishes with a conclusion. Staff notes that while this proposal is within Urban Design District 7, there are no exterior changes proposed and the UDC Secretary has reviewed the request administratively.

### **Consistency with Adopted Plans**

The [Comprehensive Plan](#) (2023) recommends Neighborhood Mixed Use (NMU). The NMU category includes relatively small existing and planned activity centers that include residential uses, as well as retail, restaurant, service, institutional, and civic uses primarily serving nearby residents. While new construction in NMU areas are encouraged to integrate site design elements that facilitate pedestrian and bicyclist access, this is an existing structure. The Bay Creek Neighborhood Plan (1991) and Park Street Urban Design Guidelines (2004) and the South Madison Neighborhood Plan all Plans in the area and does not make any recommendations specific to this site. Staff believes the Plan Commission can find that the proposal is consistent with adopted plans.

### **Conditional Use Standards**

With regard to the conditional use approval 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.

Staff offer comments regarding standard of approval 4, that the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. While the NMU land use designation and the TOD overlay zoning district, recommend and require, respectively, a minimum two-story development type, the building is existing. Similarly, the NMU land use designation and the underlying TSS zoning district encourage a mix of uses and limited automobile-oriented uses, but staff again note that the building is existing. Planning staff does not believe the use of the building for an auto repair use would impede or preclude the redevelopment of this site and this area in a manner more consistent with the recommendations in adopted plans. As a re-use of an existing building, the TOD site standards for buildings found in §28.104(6) MGO, which apply to all new principal buildings and major expansions, are not applicable to this request.

Regarding standard 5, that "adequate utilities, access roads, drainage, internal circulation improvements...and other necessary site improvements have been or are being provided," staff note than a former driveway opening is located on South Park Street, directly north of Lakeside Street. A new curb was installed when the site transitioned from a gas station to an ambulance service building, but the opening from the parking lot was not closed. An existing trench drain runs along the property line adjacent to the right of way at this location. The Traffic Engineering Division has recommended a condition of approval requiring the applicant to secure the parking area from encroaching onto the public sidewalk at that southwest corner of the site. The exact method is not prescribed by staff, but could be a six-inch curb, timbers, pre-formed wheel stops, or a guardrail or fencing of sufficient strength to act as a vehicle bumper. The Traffic Engineering Division also recommends a requirement to close the driveway on Lakeside Street to control traffic movements.

When considering these issues and the recommended conditions from reviewing agencies, staff believe the Plan Commission can find standards 4 and 5 and all other applicable standards to be met.

### **Public Comment**

At time of report writing, staff are unaware of any written public comment regarding this proposal.

## Conclusion

The applicant requests conditional use approval to operate an auto-repair business in an existing building. When considering adopted plan recommendations and recommended conditions of approval, staff believe that all 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 regarding the operation of the conditional use.

## Recommendation

### Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the conditional use for an auto repair station at 999 South Park Street subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies below.

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

### Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

1. 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 pervious 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 of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
2. All automobile servicing and repair activities shall be carried on within an enclosed building.
3. No automobile servicing and repair activities may take place between the hours of 7:00 p.m. and 7:00 a.m. unless all of the building's windows and doors are closed.
4. Outside storage or parking of any disabled, wrecked, or partially dismantled vehicle is not allowed for a period exceeding ten (10) days during any thirty (30) day period.

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

5. The applicant shall work with Traffic Engineering on removing the site's existing Lakeside Street driveway. Removed driveway shall be replaced with curb and gutter and noted on the plan.
6. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
7. "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.

8. The applicant shall secure their parking facility from encroaching onto the public sidewalk in the Southwest corner of their site. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

**Metro Transit** (Contact Tim Sobota, 261-4289)

9. Note: Metro Transit operates daily all-day transit service along South Park Street adjacent this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays).
10. Note: Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 85 Weekday & 65 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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