

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
March 21, 2005

RE: I.D. #00823, Conditional Use Application – 1002 S. Whitney Way

1. Requested Action: Approval of a conditional use permit to allow used automobile sales on a parcel located at 1002 S. Whitney Way.
2. Applicable Regulations: Section 28.09 (3) identifies automobile sales establishments in abandoned automobile service stations as conditional uses in C2 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Drafted By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant & Property Owner: Yomi E. Jarrett; 795 Sky Ridge Drive; Madison, Wisconsin 53719.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Location: Approximately 0.48 acres located on the west side of S. Whitney Way, opposite Gilbert Road and 700 feet south of The Beltline and Schroeder Road; Aldermanic District 1; Madison Metropolitan School District.
4. Existing Conditions: Auto repair business, zoned C2 (General Commercial District)
5. Proposed Land Use: Auto repair business and used automobile sales establishment.
6. Surrounding Land Use and Zoning:
North: Ethnic grocery store, miniature golf course and clubhouse, zoned C2 (General Commercial District);
South: Multi-tenant office buildings, zoned C1 (Limited Commercial District);
West: Vitense golf driving range, zoned Conservancy and C2;
East: Multi-tenant office building and multi-building apartment complex, zoned C1 and R4 (General Residence District).
7. Adopted Land Use Plan: This property is identified as "Community Commercial" according to the 1988 Land Use Plan.

8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11)(g). In addition, the Zoning Ordinance also requires that the Plan Commission shall find the following standards for automobile sales establishments in abandoned automobile service station sites are met:

- a. That there is adequate screening and landscaping, including between the site and residential uses.
- b. That no permanent or temporary storage of vehicles in disrepair shall occur on the premises unless within a completely enclosed building.
- c. That the site fronts on either a street designated as an arterial street or on a frontage road adjacent to a designated arterial street.
- d. That illumination of the site does not adversely affect adjacent properties.
- e. That signs shall conform to the size limitation of the R5 residential district if the site is opposite or adjoining residential property.
- f. That the hours of operation shall be limited to 8:00 a.m. to 8:00 p.m.

PREVIOUS CASE

On October 4, 1993, the Plan Commission determined that the conditional use standards were met and approved a conditional use permit to allow automobile repair business on the subject site. At the same meeting, a concurrent request by that applicant to allow used car sales on the same parcel was placed on file without prejudice.

ANALYSIS, EVALUATION AND CONCLUSION

The applicant is requesting approval to operate a used car sales establishment on a 0.48 acre parcel located on the west side of S. Whitney Way opposite Gilbert Road in C2 zoning. The site is currently developed with a 1,740 square foot, one-story automobile repair facility located in the southwestern corner of the site that includes three service bays. A total of nineteen parking spaces are proposed for the property, with twelve of the spaces provided along the S. Whitney Way frontage. Access to the site is provided by one driveway near the northern property line of the property. A second driveway near the southern property line will be closed and replaced with

additional parking spaces. The property also shares an internal drive with the grocery store and Vitense golf facility located on the parcels to the north.

The applicant, who operates the automobile repair business on the property, wishes to use seven of the twelve spaces along the S. Whitney Way frontage for used car display. The seven spaces will be located in a continuous row immediately south of the driveway. Hours of operation for the business are currently 8 a.m. to 5 p.m., Monday through Friday and 9 a.m. to 2 p.m. on Saturday. The applicant indicates in his letter of intent that the primary use of the property will be auto repair, and that the sale of used cars will "always be secondary." No modifications other than the driveway closure are proposed. Landscaping of the property includes a scattering of evergreen and deciduous shrubs along the S. Whitney Way frontage, a grouping of similar shrubs adjacent to the northwest corner of the building and a line of evergreen shrubs along the northern property line. Two deciduous trees are also provided along the S. Whitney Way frontage. The applicant appears to have provided the number of landscaping points necessary under the Zoning Ordinance. Staff requests that the plans be revised to note the species and size of all material to be planted, and to include two additional shrub plantings along the S. Whitney Way frontage in the area of the closed and removed driveway.

The existing C2 zoning and auto repair land uses are consistent with the 1988 Land Use Plan, which recommends this site and properties to the north and along The Beltline for "Community Commercial" uses. The proposed used car lot would appear to comply with all of the specific standards stipulated by the Zoning Ordinance for automobile sales establishments in abandoned automobile service station sites. The subject property is located along an arterial roadway, the hours of operation comport to the hours allowed by ordinance, there is adequate separation between the site and nearby residential uses, which are located across S. Whitney Way, and no changes to site illumination are proposed.

However, the Planning Unit does not feel that the site or surrounding area is appropriate for used car sales, even on a limited basis as proposed by the applicant. As such, staff does not feel that the conditional use standards related to the use's impact on the value and enjoyment of nearby property or on the normal and orderly development of the surrounding area (#3 and 4) are met. The area surrounding the subject site reflects a wide array of land uses, including multi-tenant office buildings and multi-family residential east across S. Whitney Way and the Vitense driving range and entertainment center to the north and west. Lands west along The Beltline and north on Whitney Way are largely commercial in nature. Further south, S. Whitney Way becomes almost exclusively single-family in nature as far south as Raymond Road. It is anticipated that in the future, the golf driving range and other related land will be redeveloped with low-density residential uses similar to the single-family development south and west of that site, with some opportunity for neighborhood-oriented mixed use near the Schroeder Road/ S. Whitney Way/ Beltline intersection. The auto repair business and adjacent grocery should not be considered long-term uses at this location. A used car sales establishment will introduce a higher profile land use into an area that is predominated with understated land uses that blend seamlessly into the landscape in the surrounding area.

Should the Plan Commission determine that the conditional use standards are met and allow used car sales on this property, the Planning Unit would recommend that identification of the used cars for sale and establishment be restricted in an effort to reduce the visual impact of the used car sales on surrounding land uses. Staff would recommend that signage related to the used car sales be limited to the model year of the auto and the sales price being posted on the windshield.

RECOMMENDATION

The Planning Unit recommends that the Plan Commission **reject** a conditional use request to allow used automobile sales on a parcel located at 1002 S. Whitney Way for not complying with conditional use standards #3 and 4. In the event that the Plan Commission should find the conditional use standards met and approve this request, staff would recommend the following conditions:

1. Comments from reviewing agencies.
2. That the plan be revised per Planning Unit approval to note the size and species of landscaping to be planted, and to include a minimum of two additional shrubs to be planted in the area of the closed driveway.
3. That the conditional use permit be restricted as follows:
 - a. that used automobile sales be limited to no more than seven automobiles at any time to be located on the property as shown on the attached site plan;
 - b. that the conditional use approval be issued for a period not to exceed five (5) years from the date of Plan Commission approval;
 - c. that all advertising of the used automobiles for sale shall be limited only to the model year and the sales price of the vehicle placed on the windshield or other comparable surface; no inflatable devices, non-business identification signs, flags or streamers shall be allowed, and;
 - d. that this conditional use approval be non-transferable to any future owners or tenants of the property.

These restrictions may be modified, including a renewal or extension of the conditional use permit for an additional period, after a public hearing before the Plan Commission.

- d. That illumination of the site does not adversely affect adjacent properties.
- e. That signs shall conform to the size limitation of the R5 Residential District if the site is opposite or adjoining residential property.
- f. That the hours of operation shall be limited to 8:00 a.m. to 8:00 p.m.

The Parking Requirements for this business are contained in the comments from the Zoning Administrator.

ANALYSIS, EVALUATION AND CONCLUSION:

The Applicant is requesting approval to convert this abandoned service station into a muffler and brake service shop (repair garage) with used car sales similar to his existing business located on the east side of the City at 2450 East Washington Avenue. The proposed hours of operation are 8:00 a.m. to 6:00 p.m., till 8:00 p.m. on Thursday and 10:00 a.m. to 6:00 p.m. on Sunday. Thirteen parking spaces proposed for car sales are shown on the site plan along Whitney Way. Eleven parking spaces for cars to be serviced and employee parking are shown on the northeast side of the existing building. The minimum amount of parking required by the ordinance for a business of this nature is nine stalls.

The ordinance lists specific standards for auto sales establishments in abandoned service stations (above). Staff feels that additional landscaping should be provided along Whitney Way. Staff also feels that that parking of cars awaiting repair and cars offered for sale should be to the rear of this site away from the Whitney Way right-of-way.

The reuse of this service station for automobile brake and muffler service, complies with the Land Use Plan designation of Community Commercial and the existing C2 General Commercial zoning. This site is located in a transition area between the predominately residential neighborhood located south of the West Beltline Highway Corridor and the community commercial area located along the Beltline Highway, Whitney Way and Odana Road. The site is adjacent to the Vitense golf driving range and in close proximity to residential uses and business offices. The site plan and landscaping plan that has been proposed are not adequate and do not provide the type of screening which would be necessary to develop this site with the uses proposed. The site is relatively small and staff believes it will not accommodate both of the uses proposed without having significant negative visual impacts on this area. The Planning Unit cannot support the establishment of a used car sales business at this location. The Planning Unit would support the operation of a brake and muffler service with conditions, however.

RECOMMENDATION:

The Planning Unit recommends that the Plan Commission, after considering the applicant's presentation and the neighborhood input at the public hearing, find that the ordinance standards can be satisfied and grant approval of the application to reuse this site for automobile muffler and brake service business.

Additional planting space shall be provided within the site along Whitney Way for more landscaping material. A final landscape plan shall be provided for staff review and approval. The existing gravel portion of the site must be repaved. The underground fuel storage tanks have been removed. The plan to improve the appearance of site and building shall be submitted and approved by staff. The use of the business shall be limited to brake and muffler service with no car body work or motor vehicle repair. There shall be no permanent or temporary storage of vehicles in disrepair on the premises.



Traffic Engineering Division

David C. Dryer, City Traffic Engineer

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608/266-4761
TTY 608/267-9623
FAX 608/267-1158

March 14, 2005

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer

SUBJECT: **1002 South Whitney Way – Conditional Use – Auto Sales with Repair Garage**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

- | |
|---|
| <ol style="list-style-type: none">1. Any modifications to the existing driveway and median break on Whitney Way shall be reviewed and approved by the Traffic Engineer. |
|---|

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
3. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Yomi Jarrett
Fax: 608-276-6001
Email:

DCD:DJM:dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: March 15, 2005

To: Bill Roberts, Planner III
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 1002 S Whitney Way

Present Zoning District: C-2

Proposed Use: Add retail automobile sales to an auto repair business

Conditional Use: 28.09(3)(d)16 Automobile sales establishments in abandoned automobile service station sites are a conditional use provided the following conditions are met.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project).

GENERAL OR STANDARD REVIEW COMMENTS

1. Conditions from above code requirement:
 - a. That there is adequate screening and landscaping.
 - b. That no permanent or temporary storage of vehicles in disrepair shall occur on the premises unless within a completely enclosed building.
 - c. That the site fronts on either a street designated as an arterial street or on a frontage road adjacent to a designated arterial street.
 - d. That illumination of the site does not adversely affect adjacent properties.
 - e. That the hours of operation shall be limited to 8:00 a.m. to 8:00 p.m.
2. Meet all applicable State accessible requirements, including but not limited to:
 - a. Show signage at the head of the stalls.
3. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
4. Provide a detailed list of landscaping elements including species and sizes.

5. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). For an outdoor merchandising areas, the maximum level in 75% of the lot shall not exceed 20 footcandles. A contiguous area not to exceed 25% of the lot may be illuminated to a level which shall not exceed 40 footcandles.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	20,726 sq. ft.
Lot width	50'	200'
Usable open space	n/a	n/a
Yards	Existing building	Existing Building
Floor area ratio	3.0	less than 1.0
Building height	--	1 story

Site Design	Required	Proposed
Number parking stalls	9 (bays 6, emp 2, office 1) + display stalls	12 <u>7 display</u> 19 total
Accessible stalls	1	1 (2)
Loading	n/a	n/a
Number bike parking stalls	2	(3)
Landscaping	Yes	(4)
Lighting	No	(5)

Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

ATTN: Tim Parks

FAX: 267-8739

RE: Conditional Use Permit at 1002 S. Whitney Way - Eddie's Automotive

Tim,

Here are my comments and some from residents and business owners and operators in the area of 1002 S. Whitney Way. I am sending this fax in lieu of writing the comments on cover page I received since I don't believe there is enough room on that form.

In no particular order:

Why is there no designated parking spot for the tow truck that is kept on the premises? Currently, the vehicle is parked along the fence between Eddie's and the driving range.

Nowhere in the request is the number of vehicles that would be for sale at any one time listed. In conversations with the applicant, both I, and the neighborhood were told the number of vehicles would be limited to 7 (seven). Yet, on a form the applicant gave to Greentree Neighborhood Association, it states the number would not exceed 6 (six) at any one time. I am including a copy of that form with this fax, it is titled GREENTREE NEIGHBORHOOD. A condition of a limited number of vehicles should be included with the permit. The plan shows 6 (six) parking spots along the NE edge of the property. The plan also shows the designated display area for vehicles to be along the SE edge parallel to S. Whitney Way. The cover letter included with the application ends with the following sentence. "The primary service at Eddie's automotive is auto repair and service; auto sales will always be secondary." Since auto sales are meant to be secondary, might it make more sense to have the cars located in a secondary spot away from the street?

In addition to the number of vehicles for sale, there are concerns as to how they would be counted. For instance, if the applicant purchases several vehicles but some need additional service work before being displayed for sale, would they be stored on the property? Would they count towards the number allowed to be for sale at any one time? This could become a problem if many more vehicles are involved than the maximum allowed. In essence, the lot could be filled with vehicles, but only have the maximum allowable number "officially" for sale.

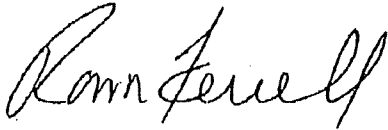
There are concerns the 30' wide access drive into the adjacent property (El Mercadito) may not be wide enough or located in a good spot for vehicles such as delivery trucks and garbage trucks to make the turn onto and off of S. Whitney Way. There are some proposals to limit or eliminate the other access point located on Schroeder Road to the properties adjacent to Eddie's. If that access is limited or eliminated, this could cause problems for customers, suppliers, and service vehicles for adjacent properties. In addition, there are concerns that the change could be viewed by potential customers of

adjacent properties that there is no access from the ingress/egress point on S. Whitney Way. A review of the width, design and location of the access point may be in order.

It is my understanding that a conditional use permit stays with the property when it is sold. Some people have asked if there could be a specific condition stating in this case that the permission to sell vehicles on the property would not automatically transfer to a new owner. The new owner could apply for a new permit and the neighboring businesses, property owners, and residents could have the benefit of the experience of having cars for sale at the location if such an application were forthcoming.

There are also some concerns about any potential lighting or additional signage on the property. These are typically minor concerns since the lighting at the neighboring driving range can be overwhelming. As long the signage is within City rules, it should be fine. It was just noted that there was no mention of any changes in either of these areas.

Ronn Ferrell
Alder, District 1





March 10, 2005

Tim Parks, Planning Unit
City-County Building, Room 101
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985

Joel Weltz
PGA Professional
President
Director of Golf
Honorary President
of Wisconsin PGA

Dear Tim:

Mark Reif
PGA Professional
Head Golf Instructor

Ronn Ferrell, District 1 Alderperson, recently provided us with a copy of the application filed by Yomi Jarrett for the conditional use permit for Eddle's Automotive.

Tom Gerke
PGA Professional
Director of George Vitense
Golf Academy

GYV Group, LLC owns the property leased to Vitense Golf Land, Copper Top Restaurant and El Mercado Convenient Store, abutting Mr. Jarrett's property. An easement exists through Mr. Jarrett's property to service the businesses of Vitense Golf Land, Copper Top Restaurant and El Mercado Convenient Store. The open access through the property at 1002 South Whitney Way is critical to the success of all three businesses. I have reviewed the proposed plan with the GYV Group, LLC partners, and the owners of Copper Top and El Mercado and they all share the concerns addressed in this letter.

Jim Schuman
PGA Professional
03 & 2005 Wisconsin PGA
Teacher of the Year
UW Men's Golf Coach

We have the following comments regarding Mr. Jarrett's proposal:

Mike Schnarr
PGA Professional
Certified Golf Psych
Instructor

1) Large trucks provide deliveries to our businesses often use the Whitney Way entrance. We don't believe the 30' of clearance will provide enough space for adequate traffic flow of the trucks.

Bill Furnari
PGA Professional
Life Member

2) The extension of cars extending into the parking lot where the 30' access is located gives the perception that this access is limited or should not be used. Due to the high degree of traffic on Schroeder Road, many of the customers of our three businesses use the Whitney Way access exclusively and encouraging open and free access to our businesses is crucial.

Darin Key
PGA Apprentice

If you would like to discuss this, please call me at 271-1411. Thank you.

Sincerely,

Joel Weltz
President & PGA Professional



c: Ronn Farrel, District 1 Alderperson



11 W. Beltline Highway
at Whitney Way
Madison, WI 53711

608.271.1411
608.271.1116 fax

www.vitense.com

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 9:34AM
Subject: FWD: Eddie's Automotive

----- Original Message -----

From: "mmcgrath@merr.com" <mmcgrath@merr.com>
Reply-To: mmcgrath@merr.com
Date: Tue, 15 Feb 2005 11:44:07 -0500

Mr. Ferrell,

My name is Margaret McGrath and I am a customer at Eddies Automotive on Whitney Way. It has been brought to my attention that they are interested in including used car sales as part of the services they offer there. As a resident of Greentree and a customer at Eddie's I would like to voice my endorsement of this business venture.

I have lived in Greentree for over ten years. For many of those years that location housed CV Pros. When Yomi Jarrett purchase the property and opened Eddies it was a definite improvement in the property. I had never done business there when it was CV Pros and actually thought for a long time that it was abandoned. It was run down and dirty. I was glad to see a thriving business go in to that location and to see it get cleaned up including tasteful sineage. I was one of their first clients and was glad to have a auto repair shop in the neighborhood that I could count on. They are reputable and customer oriented.

I don't think having a few used cars would be an eyesore nor would it be bad for the neighboring businesses. I can't see why anyone would discourage a small business from trying to be more successful. In coming to know Yomi Jarrett I also know that he is a responsible citizen and as is apparent in his dress and demeanor he is not likely to allow this location to become a junk yard for abandoned cars. And in comparison, even a few used cars would be an improvement to when CV Pros occupied to location.

Mr. Farrell please consider this letter a confident vote for letting Eddie's Automotive display and offer 5-7 used cars for sale from their business.

Thank you for your time.
Margaret McGrath
1122 Hathaway Drive
Madison, Wi. 53711

mail2web - Check your email from the web at
<http://mail2web.com/>

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 9:34AM
Subject: FW: Eddies Automotive Conditional Use Permit

----- Original Message -----

From: "Rostad, Tom J." <trostad@danecountytitle.com>
Date: Sat, 19 Feb 2005 09:56:42 -0600

Yomi-your copy didn't go through the first time-I think it may have been because I had a dot instead of a dash in the address after eddies, so am trying again. Hope this works.

-----Original Message-----

From: Rostad, Tom J.
Sent: Saturday, February 19, 2005 9:53 AM
To: 'district1@cityofmadison.com'
Cc: 'service@eddies.automotive.com'
Subject: Eddies Automotive Conditional Use Permit
Importance: High

Ronn-I am sending you this message to let you know that we support the issuance of a conditional use permit for Eddies Automotive at 1002 South Whitney to sell used vehicles. They have been a good member of the commercial neighborhood in this area, and I am sure that it would be a well run and maintained operation. I send this to you on behalf of Dane County Title Company which is located at 901 South Whitney Way, and Doty Street Associates, who owns the property occupied by Dane County Title.

If you have any questions, please don't hesitate to contact me. Thank you.

Thomas J. Rostad, President

Dane County Title Company

901 S. Whitney Way

Madison, WI 53711

271-2800 x113

800-626-9735

trostad@danecountytitle.com

From: "service" <service@mail.eddies-automotive.com>
To: "Yomi Jarrett" <service@eddies-automotive.com>
Date: 3/15/05 12:52PM
Subject: Conditional Use Permit

----- Original Message -----

From: "Allen Youngwood" <ayoungwood@mailbag.com>
Date: Tue, 22 Mar 1904 13:56:21 -0600

From: "Allen Youngwood" <ayoungwood@mailbag.com>
To: district1@council.ci.madison.wi.us, service@mail.eddies-automotive.com
Subject: Re: [Fwd: Fw: Used Cars for All]
Date: Tue, Mar 22, 1904, 1:42 PM

Mr. Ferrell,

I am a resident of the Greentree neighborhood and have read the letters opposing Mr. Jarrett's conditional use permit application.

I believe Mr. Jarrett has already improved the appearance of the property and has good intentions of improving it further with landscaping. (Remember CV Pro? It's definitely an improvement over that). The proposed used car sales is not a major variation in what is offered at the shop now...there are cars in the lot...and he will hold it to a total of no more than seven used cars for sale.

Since Vitense owns the other surrounding properties, including the El Mercadito, perhaps the improved appearance of Mr. Jarrett's property will inspire Vitense to spruce up his own storefronts. One can only hope.

If light pollution is the worry, Vitense has pretty much got that covered: the golf range, mini-golf and batting cages are flood lit. Doesn't get much brighter than that. I honestly can't believe that could even realistically be a concern.

I am a huge proponent of smart land use: I believe it is in the neighborhood's interest to have a small automotive repair shop nearby, and a few used cars for sale too. Parman's Garage on Monroe St. is a perfect example of convenience and concentration of commercial and residential land use. This is what prevents urban sprawl.

I really don't see any problem with Mr. Jarrett offering a few used cars for sale at his shop. My neighbor's had their car parked out front on the street with a FOR SALE sign on it all summer. We all would have been better served if it had found it's way to Mr. Jarrett's lot.

Sincerely,

Elizabeth Pilon

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/16/05 3:19PM
Subject: FWD: Conditional Use Permit - Eddie's Automotive

----- Original Message -----

From: "reck1" <reck1@charter.net>
Date: Wed, 16 Mar 2005 15:13:36 -0600

Ronn Ferrell:

As a resident of the Greentree neighborhood I would like to extend my support for a conditional use permit for Eddie's Automotive to sell a limited number of cars from the business property at 1002 S. Whitney Way. I also support the need for some landscape improvement at the site.

I pass by that location on a regular basis and consider the business to be an integral part of our neighborhood. Mr. Jarrett (owner) often allows student organizations to conduct car washes on his property for their fundraising purposes.

Please support this permit as it comes before the Council. Please feel free to contact me if you would like to discuss this further.

Best regards,
Betsy Reck
13 Regis Circle
Madison, WI 53711
277-1541

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/9/05 6:54AM
Subject: FWD: conditional use permit for Eddies Automotive

----- Original Message -----

From: John LaBreche <labee78@yahoo.com>
 Date: Mon, 7 Mar 2005 18:47:52 -0800 (PST)

John La Breche
 6602 Piping Rock Road
 Madison, WI 53711

I am a resident of the Greentree neighborhood.

I support a conditional use permit for eddie's automotive at 1002 S Whitney Way. This permit is to sell a limited number of cars and for landscaping of their site.

Thank You

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/9/05 6:58AM
Subject: FWD: copy...

----- Original Message -----

From: "Brian Bookstaff" <brian@fullcompass.com>
 Date: Mon, 07 Mar 2005 12:29:13 -0600

Dear Ronn, just wanted to let you know that I have no problem with Yomi Jarrett's plans to sell some cars on his site. Yomi is a great guy, and would never do anything to embarrasses or take advantage of the City, or neighborhood. I wish him the best of luck, and would support him in any way I could.

TKS, Brian Bookstaff
 1210 Brookwood Rd
 MADISON, WI 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 9:35AM
Subject: FWD: copy

----- Original Message -----

From: bigo osita <ocinvestments@yahoo.com>
 Date: Thu, 3 Mar 2005 04:48:57 -0800 (PST)

Date: Mon, 28 Feb 2005 04:55:58 -0800 (PST) From: "bigo osita" <ocinvestments@yahoo.com> Add to Address Book Subject: Eddies automotive To: district1@cityofmadison.com [input] [input] [input] [input]
 Hi my name is osita nwachukwu. I reside at 6114 strathmore ln.
 I am in support of yomi jarret selling cars on whitney wat.(eddies automotive)

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/9/05 6:29AM
Subject: FWD: conditional use permit

----- Original Message -----

From: "Charles Brooks" <crbrooks@jvl.net.com>
Date: Tue, 8 Mar 2005 06:49:18 -0600

We live in the Greentree neighborhood and support a conditional use permit to sell a limited number of cars, no more than 7, at 1002 South Whitney Way (eddie's automotive). This permit will also include a major landscape improvement to the site.

Thank you

Charles and Jann Brooks
5805 Piping Rock Road

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/9/05 6:53PM
Subject: FWD: Conditional Use Permit for Eddie's Automotive

----- Original Message -----

From: "David A. Johnson" <daj@chorus.net>
Date: Wed, 9 Mar 2005 18:04:56 -0600

Dear Mr. Ferrell,

My name is David Johnson, and my family and I live at 1122 Winston Dr. in the Greentree neighborhood. We support the conditional use permit for Eddie's Automotive to sell a limited number of cars, as well as to make a major landscape improvement to the site. Thank you for your attention to this matter.

Sincerely,
David Johnson

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 2:29PM
Subject: Conditional use permit

----- Original Message -----

From: "James & Patricia Baird" <Baird82@charter.net>
Date: Sun, 6 Mar 2005 19:39:20 -0600

Dear Mr. Ferrell,

I'm writing to express my support for the conditional use permit which is being requested by Eddie's Automotive. I have been a Greentree neighborhood resident for about 10 years, and feel that the expansion and landscaping plans will enhance the look of the this area. I believe approving the conditional use permit would be in the best interests of the neighborhood.

Sincerely,

James Baird
6413 Piping Rock Road
Madison, WI 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 9:34AM
Subject: FWD: Conditional Use Permit

----- Original Message -----

From: Sharon Joshua <lvjaz@sbcglobal.net>
Date: Tue, 22 Feb 2005 18:49:45 -0800 (PST)

Dear Ronn Ferrell,

I am writing to inform you that as a resident of the Greentree Neighborhood, I approve of the conditional use permit for Eddie's Automotive, located at 1002 S. Whitney Way. I have seen the plans and feel that the improvements made to the garage will be an asset to the neighborhood.

Thank you,

Sharon Joshua

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 9:35AM
Subject: FWD: Conditional use permit

----- Original Message -----

From: "Newberry, J P" <JNEWBERR@amfam.com>
Date: Fri, 25 Feb 2005 13:23:41 -0600

This is re. Eddies Automotive at 1002 S Whitney Way Madison, Wi. 53711. I am a American Family insurance agent that is in the building at 1001 S Whitney Way. I have known Yomi Jarrett for many years. The appearance of the property has already improved and possibly his business may be of benefit to mine. I am for you granting him the permit. Phone 608-274-2610. Thank You. Pat Newberry.

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/7/05 9:35AM
Subject: FWD: Eddie's Automotive

----- Original Message -----

From: "John Martin" <jhmaritn@charter.net>
Date: Sat, 26 Feb 2005 18:16:12 -0600

With regard to the Conditional Use permit requested for Eddie's Automotive at 1002 S Whitney Way, we think that this would enhance the Greentree neighborhood and be a convieniece to those interested in purchasing a used car at a fair price from an honest dealer. Since becoming Eddie's Automotive, there have been many enhancements done to clean up the area and we are looking forward to seeing more.

As a Greentree resident, we would appreciate your approval of Mr. Jarrett's conditional use permit.

Sincerely,

John & Michele Martin
6309 Woodington Way
Madison, Wi 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/11/05 1:56PM
Subject: FWD: conditional use permit

----- Original Message -----

From: Richard V Brown Sr <richardsr8077@sbcglobal.net>
Date: Fri, 11 Mar 2005 11:51:44 -0800 (PST)

Dear Mr. Ferrell,

My name is Richard Brown Sr. Dane County supervisor District 15. I am a Greentree resident, 1122 S Whitney Way.

I have seen Yomi Jarrett's plan, I know the kind of person Yomi Jarrett is and I am pretty confident this would be both a good improvement and a great benefit to the neighborhood.

I support the conditional use permit to sell a limited number of cars at 1002 S Whitney Way; by the way, my residence is two buildings away from eddie's automotive.

Thank you.

Richard Brown Sr.

\$RVB\$

What can Brown do for you?

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/13/05 5:38PM
Subject: FWD: Conditional Use Permit for Eddies Automotive

----- Original Message -----

From: kc caravello <secert_crusher101@yahoo.com>
Date: Sun, 13 Mar 2005 14:57:46 -0800 (PST)

I am sending this email again because I forgot to cc Yomi Jarrett on the original email to you. Monte and I support the selling of cars at Eddies Automotive on Whitney Way

Lynn and Monte Caravello
1218 Saalsaa Rd
Madison, WI 53711
608 271 6777
Resident of Greentree Neighborhood

Do You Yahoo?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/12/05 3:55PM
Subject: FWD: Eddie's Automotive (conditional-use permit)

----- Original Message -----

From: "Thomas C. Stringfellow" <StringWu@merr.com>
Date: Sat, 12 Mar 2005 11:50:49 -0600

To: District 1 Alderman Ronn Ferrell

Dear Mr. Ferrell,

We are writing to express our support for the application by Eddie's Automotive for a conditional-use permit to allow the sales of used cars (maximum of seven) at 1002 South Whitney Way. As Greentree Neighborhood residents who have known Mr. Yomi Jarrett for nearly two years, we believe he has both the desire and capability to make such a business work and simultaneously enhance the neighborhood.

Considering that others may be opposed to such a permit, we offer the following qualifications to appease two anticipated points of potential criticism: The permit be issued (1) on a limited-time basis and (2) to the original applicant only. We do not know if qualifications of this type are a normal part of conditional-use permits.

The bottom line is that we support Mr. Jarrett's efforts and would like to see him have a chance to succeed in this endeavor.

Respectfully,
Tom and Xiaoli

Thomas C. Stringfellow & Xiaoli Wu
6314 Woodington Way
Madison, WI 53711
(608) 270-1913

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/11/05 12:12PM
Subject: FWD: Conditional use permit - 1002 S. Whitney Way

----- Original Message -----

From: Jim Meland <jmeland@tds.net>
Date: Fri, 11 Mar 2005 06:27:29 -0600

Ronn, as a resident of the Greentree neighborhood, this is a note in support of an approval for the conditional use permit for Eddie's Automotive at 1002 S. Whitney Way. It is my understanding that in addition to continuing to operate as a car repair shop, the business will be upgrading it's appearance and wants to add a maximum of 7 used cars for sale at this site.

Sincerely,
Jim Meland
21 White Oaks Lane
Madison 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/14/05 11:22AM
Subject: FWD: conditional use permit

----- Original Message -----

From: Joan Burns <burns@Waisman.Wisc.Edu>
Date: Mon, 14 Mar 2005 11:13:12 -0800

Ronn Ferrell---

I would like to express my support of the requested conditional use permit at eddies automotive, 1002 Whitney Way. The described use would enhance the property and improve the look of the area.

We have lived at 1214 Salisbury Place for 39 years in Greentree and have witnessed the deterioration of that site over the years. This appears to be a move in a positive direction.

Thank you for your consideration of this request.

Joan and William Burns

Joan Burns

1214 Salisbury Pl.

Madison, WI 53711

608-271-3987

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/15/05 7:23AM
Subject: FWD: Conditional Use permit

----- Original Message -----

From: Millie Webb <millie-webb@sbcglobal.net>
Date: Mon, 14 Feb 2005 18:53:12 -0800 (PST)

Dear Alder,

I was surprised to hear that several people from our association have expressed concern over Yomi Jarret's proposal to keep a small number of relatively inexpensive used cars for sale at his repair shop on Whitney Way (and it IS mainly a repair shop -- not a "used car lot"). It was my understanding from a meeting in January and conversations reported to me after that by Mr. Jarret, that people in attendance at the meeting (and in immediate conversation afterwards) did not seem to have such concerns, and that the Association Board President (as well as yourself, previously) had said as much, albeit informally.

Mr Jarret does not seem to be overreaching the use of his own private business space to make a few (6-7) reasonably priced cars available to people who would otherwise use his repair (mechanics) services anyway. I certainly do not see how this would possibly affect traffic in the neighborhood -- unlike the recently proposed straightening of Forward Drive's line-up with Hathaway to run rush hour traffic right by a school (as part of an underpass for the Beltline). The property in question does not even abut neighborhood properties, but is surrounded by the much larger (and much more invasive traffic patterns of) Vitense Golf Land, and its associated properties at the Copper Top Restaurant and its easement. To claim this small lot lies "at the gateway to our community" is almost ludicrous, in that it lies several hundred feet, and probably over one hundred yards away from it (I have not measured it, obviously).

The improvements already made to this property and planned for it if this use permit goes through, will greatly increase the value and aesthetics of this property, and if anything, add to the value of surrounding properties. As a citizen concerned for the environment and run off (which coming from Vitense is usually filled with fertilizers, weed killers, and other chemicals), I especially appreciate Mr. Jarret's plans for landscaping which would mitigate some of the significant run off from the extensive blacktop and other hard surfaces of Vitense. This landscaping would also serve to brighten the border of the property on the sidewalk side.

I have also noted complaints that placing the cars there would increase the need for nighttime lighting. More lighting is needed there anyway -- for the sake of safety -- and would be negligible when compared with the effects of the already overflowing light from Vitense (which affects the neighborhood much more strongly at the both the South end of that property and the West side). I find it almost laughable to claim also that this area is not meant for "commercial use" anyway, since Vitense has a huge, established, and thriving business on that very corner, as well as the adjoining restaurant and Market.

I plan to make it clear to some of my neighbors that a few vocal people are trying to shoot this down without even seeing the plans. Their course of action seems especially odd since they have complained that any decisions made by the neighborhood association board are not binding and only the limited opinions of individual citizens. Do they think their own opinions should count for more? And why should they when most of these people do not live very close to the lot in question anyway? Where were they at the January meeting when Mr. Jarret presented his plans and entertained questions?

I am currently student teaching in special education, and have three young children at home also. For these reasons, I do not know that I will be able to make the meeting at which this proposal will be discussed. I would appreciate it, however, if you could keep my views in mind, and remember that the people most likely to make their voices heard on something like this are those with a negative opinion.

Thank you, Millie J.G. Webb (Greentree Resident, and former GTNA Board member)

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/15/05 7:15AM
Subject: FWD: Improvement Permit

----- Original Message -----

From: "Simmerman Family" <simms.5@charter.net>
Date: Tue, 15 Mar 2005 07:10:30 -0600

Dear Ron,

I would like to share my support for Eddie's Automotive to obtain a conditional use permit for the site & landscape improvement plan at 1002 S. Whitney Way.

Besides the landscape improvements which would clean up the area, the permit for automobiles to be sold at this location would provide a service to area residents that I believe would be welcomed.

Sincerely,
Laura M. Simmerman
Greentree Resident
933 Chapel Hill Road
Madison, WI 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/14/05 5:54PM
Subject: FW: Conditional use permit for 1002 S. Whitney Way

----- Original Message -----

From: "Betsy Huebel" <eahuebel@charter.net>
Date: Mon, 14 Mar 2005 16:41:41 -0600

-----Original Message-----

From: Betsy Huebel [mailto:eahuebel@charter.net]
Sent: Monday, March 14, 2005 4:32 PM
To: district1@cityofmadison.com
Subject: Conditional use permit for 1002 S. Whitney Way

I support the conditional use permit to sell 7 cars for 1002 S. Whitney Way with the landscape improvements.

I am a resident of the Greentree Neighborhood and a member of the neighborhood association.

Elizabeth Huebel
69 White Oaks Lane
Madison, WI 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/14/05 5:49PM
Subject: FWD: Conditional Use permit 1002 S. Whitney Way

----- Original Message -----

From: "Charlie Vaughan" <chasv@charter.net>
Date: Mon, 14 Mar 2005 16:44:56 -0600

Charles Vaughan
6318 Woodington Way
Madison, WI 53711
(608) 277-1149

R.E. Conditional Use permit 1002 S. Whitney Way

I am a resident of the Greentree Neighborhood. While I am on the board of the Neighborhood Association, the points made in this email are my views only, and do not reflect those of the board, nor are they meant to counter the boards consensus vote that the conditional use permit change is not in the best interest of the neighborhood. Rather, they are a reflection of my discussions with Mr. Jarrett as a neighbor of the property and a concerned citizen of Madison.

Mr. Jarrett first approached me about the change some months ago. At that time he indicated he would place restrictions within the conditional use permit outlining restrictions on quantity of cars, quality of those cars, signage and lighting, and I indicated I would not personally be opposed to his attempts to fix-up his property and amend it's use. If Mr. Jarrett includes language spelling out the following issues, I would personally support his application. He must place in writing into the conditional use permit language limiting the number of cars (not more than six was the figure I remember). He agrees to no or very minimal use of "for sale" signs, banners and other promotional type items. If the lot lighting is not "daylighted" and is used for evening security only. If the cars for sale would be "late model" and were mechanically sound (no fixer uppers/salvage type vehicles.) If the conditional use permit were written to either carry these restrictions with the property or would expire should Mr. Jarrett sell the property. If the landscaping and overall plan would bring the lot up to current standards with regards to plantings etc. If language were included covering all of the above points I would support his change in use.

Charles Vaughan

From: "Roy C. Weatherwax" <weatherr@uww.edu>
To: <district1@cityofmadison.com>, <bmurphy@cityofmadison.com>
Date: 3/14/2005 10:40:18 AM
Subject: 1002 S. Whitney Way

I am writing this email to both of you to communicate my strong concerns about Mr. Jarrett's proposal to locate a used car lot at 1002 S. Whitney Way. Unfortunately, I will be out of town and unable to attend the Plan Commission meeting. I am hoping that my voice can be heard in this manner.

I realize that zoning is a important factor in these decisions. However, separate and apart from zoning is the fact that this location is kind of a gateway to the residential neighborhoods to the south of the beltline. Simply driving by this location points out the difference between it and East Washington Ave. or other used car locations.

The point, of course, is that we do not want this location to become like the other locations in town where used car lots have been allowed to set up shop. Surely, there are many other places where this used car lot would be more at home. Please tell Mr. Jarrett to find and propose a more appropriate place to locate his business.

Roy Weatherwax

CC: <ljjohnson2001@yahoo.com>

From: Thomas Riccio <thomas.riccio@sbcglobal.net>
To: <bmurphy@cityofmadison.com>, <district1@cityofmadison.com>, <ljohnson2001@yahoo.com>
Date: 3/14/2005 11:03:03 AM
Subject: Re: Used Car Lot at 1002 S Whitney Way

We wish to state our complete opposition to the proposed permit for a used car lot at 1002 South Whitney Way..

We highly doubt there is little, if any, demand for this sort of enterprise mere blocks away from numerous auto dealerships on Odana Road. Regardless of restrictions on signage, lighting, pennants, and the quantity and quality of cars on the lot, Greentree and Orchard Ridge are residential neighborhoods, and a used car lot is wholly inappropriate to that location. Further, despite a verbal agreement with the Greentree Neighborhood Association, these restrictions were not included in the application submitted by Mr. Jarrett, which calls into question his commitment to abiding by the pact. Monitoring restrictions by city employees and redress by the residential neighbors would seem to be a problem in waiting.

In closing, this is a bad idea and most certainly the wrong location. We strongly urge the City Planning Commission to reject this dubious proposal.

Sincerely,

Tom and Katie Riccio

1218 Frisch Road

Madison WI 53711

From: "service" <service@mail.eddies-automotive.com>
To: "Timothy M Parks" <tparks@cityofmadison.com>
Date: 3/14/05 11:19AM
Subject: FWD: conditional use permit

----- Original Message -----

From: "Ruth Shelly" <rshelly@kidskiosk.org>
Date: Mon, 14 Mar 2005 08:49:53 -0600

Dear Alder Ronn Ferrell:

Please accept our approve of a conditional use permit to sell a maximum number of seven late-model cars at Eddie's Automotive on 1002 S. Whitney Way.

We are residents of Greentree neighborhood. Thank you.

Ruth and Kevin Shelly
1133 Sunridge Drive
Madison, WI 53711
608.310.9966

March 21, 2005

**City of Madison Plan Commission
215 Martin Luther King, Jr. Boulevard
Madison WI 53701**

Subject: 1002 S Whitney Way – Conditional Use – Auto Sales with Repair Garage

Dear Plan Commission members:

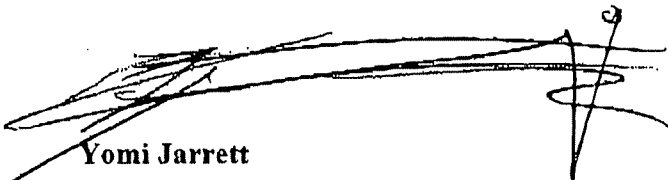
In advance of the scheduled meeting today, I agree with the commission's recommendations and restrictions for the conditional use permit for the site at 1002 S

Whitney Way. These are the restrictions as I understand them:

- 1. Automobile sales be limited to no more than seven automobiles at any time to be located on the property as shown on the submitted site plan;**
- 2. Conditional use approval be issued for a period not to exceed five (5) years from the date of Plan Commission approval;**
- 3. All advertising of the used automobiles for sale shall be limited only to the model year and sale price of the vehicle placed on the windshield or other comparable surface; no inflatable devices, non-business identification signs, flags or streamers shall be allowed, and;**
- 4. Conditional use approval be non-transferable to any future owners or tenants of the property.**

These conditions may be modified, including a renewal or extension of the conditional use permit for an additional period, after a public hearing before the Plan Commission.

Sincerely,



Yomi Jarrett

cc: Ronn Ferrell