



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 2921 N. Sherman Avenue (12<sup>th</sup> Aldermanic District, Ald. Palm)

**Application Type:** Conditional Use

**Legistar File ID #** [41729](#)

**Prepared By:** Christopher Wells, Planning Division

Report Includes Comments from other City Agencies, as noted

## Summary

**Applicant :** Peter Robertson; RP's Pasta Company; 1133 East Wilson Street; Madison, WI 53703

**Property Owner:** Sherman Plaza Inc.; P.O. Box 473 MS-330; Milwaukee, WI 53201

**Requested Actions:** The applicant requests conditional use approval to allow limited production and processing in a multi-tenant commercial building in CC-T (Commercial Corridor-Transitional District) zoning.

**Proposal Summary:** The applicant seeks to convert a large retail space into one for food production and processing of RP's Pasta's products. The space will include a retail component and offices for the company.

**Applicable Regulations & Standards:** Section 28.061 of the Zoning Code lists Limited Production and Processing as a conditional use in the CC-T (Commercial Corridor-Transitional District). This proposal is subject to the standards for Conditional Uses [Section 28.183].

**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 limited production and processing in a multi-tenant commercial building in CC-T (Commercial Corridor-Transitional District) zoning at 2921 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 approximately 180,000-square-foot (4.13-acre) parcel is part of the larger approximately 20-acre Northside Town Center, located at southeast corner of N. Sherman Avenue and Northport Drive. This parcel is located within Aldermanic District 12, in Tax Increment Financing District #40, and is within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The parcel contains a roughly 50,000-square-foot structure, built in 1999. Formerly a Kohl's Food Store, it has been vacant since 2002. The parcel also contains approximately 250 parking spaces over the approximate 2.48 acres which stretch from the building face to the western parcel boundary along N. Sherman Avenue. Overall, the Northside Town Center includes 180,000 square-feet of commercial, including Dane County offices, Lakeview Public Library, AnchorBank, Walgreens, True Value, Pierce's Market, a restaurant, miscellaneous retail, and approximately 500 parking spaces, all zoned CC-T.

**Surrounding Land Use and Zoning:**

**North:** Across Northport Drive are a number of multi-family apartment buildings, zoned SR-V2 (Suburban Residential - Varied District 2);

**South:** Single-family residential, zoned SR-C1 (Suburban Residential - Consistent District 1);

**East:** Multi-family residential, office and a publisher, along Dryden Drive, all zoned CC-T; and

**West:** The Town Center’s parking lot with a bank abutting N. Sherman Avenue, zoned CC-T. Across N. Sherman Avenue is Warner Park, zoned PR (Parks and Recreation District).

**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. Similarly, the Northport-Warner Park-Sherman Neighborhood Plan (2009) recommends mixed-use redevelopment (integrating commercial, residential, and employment) in a more pedestrian-friendly and compact form.

**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 and Northport Drive.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	8,340 sq. ft.
Front Yard Setback	None	Existing building
Side Yard Setback	None unless needed for access	Existing building
Rear Yard Setback	The lesser of 20% of lot depth or 20 feet.	Existing building
Maximum Lot Coverage	85%	Existing developed site
Maximum Building Height	5 stories/ 68 feet	Existing one-story building
<b>Site Design</b>		
Number Parking Stalls	None	300 existing stalls
Accessible Stalls	Yes	Yes
Loading	2 (10' x 50') spaces	Yes (See Comment #6)
Number Bike Parking Stalls	Limited production and processing: 1 per 5 employees (TBD)	Yes (See Comment #7)
Landscaping and Screening	No	No (See Comment #8)
Lighting	No	No
Building Forms	No	Existing building
<b>Other Critical Zoning Items</b>		
Urban Design – Yes (Planned Commercial Site)	Adjacent to Park – No	Wetlands – No
Historic District – No	Barrier Free (ILHR 69) – Yes	Wellhead Protection District – No
Floodplain – No	Utility Easements – Yes	

Table Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

## Project Description, Analysis, and Conclusion

The applicant proposes to convert a large retail space (formerly a grocery store) into one for food production and processing of RP's Pasta's products. While the entire building has an area of 50,000-square-feet, RP's Pasta Company will occupy 40,000-square-feet, with 4,000-square-feet of that space dedicated to the offices of their corporate headquarters as well as a small, public-facing retail component. While RP's Pasta will occupy 80 percent of the total building space, they will only occupy approximately 35 percent (or 90 of the 260 linear feet) of the main façade. The retail and office components will be in front of the space. The proposed building plan shows the remaining 65 percent of the valuable frontage for another tenant.

Behind the front-of-house offices and support spaces will be 36,000-square-feet of various space for food storage, preparation and processing. The applicant will use the existing loading dock (with three bays and a ramp) located along the building's eastern façade. The proposed hours of operation for the food manufacturing are Monday to Friday, 7:00 am to midnight, with occasional weekend production as dictated by demand. However, the shipping and receiving office's hours are limited to weekdays from 7:30 am to 4:00 pm. As a 37-unit multi-family apartment building is located just 95 feet east of the loading docks, it is important to note that delivery trucks (and their associated noise), will be greatly limited to the window of 7:00am to 4:15pm on weekdays. In terms of delivery frequency, the applicant expects about four shipments per day. While the manufacturing may transpire over the weekend as necessary, the applicant has stated that such manufacturing will only be done to build inventory and therefore does not anticipate additional truck deliveries necessary in support.

The proposed facility will employ 28, with that number being increased by 20 to 25 over the next five years as production increases. Parking for employees and customers will be accommodated in the 500 parking spaces in the Town Center. The site is also well served by transit. Lastly, while the location of the bicycle parking is not indicated on the submitted drawings, it will need to be updated before final signoff.

Building improvements are projected to commence May 1, 2016 and take approximately three and a half months. No exterior changes are planned save the addition of HVAC units to the roof and eventual signage. Details on the HVAC are required by zoning to ensure compliance with zoning code standards.

**Conditional Use Standards** – Staff believes the conditional use standards can be met and provides the additional informational analysis.

Standard #16 states that, *"When applying the above standards to an application for limited production and processing use, the Plan Commission shall consider the effect of such a use on the surrounding properties, including the effects of odors, noise, vibration, glare, hours of operation, and other potential side effects of a manufacturing process."* Staff believes that this standard is met, given the limited delivery truck hours.

Additionally, as noted in MGO Section 28.151, the supplemental regulations for Limited Production and Processing state: *"All such uses shall be compatible with adjacent nonindustrial uses and be accompanied by a retail component."* As noted above, Staff feels the compatibility with the surrounding uses will be achieved by limiting the hours of delivery trucks. Regarding the retail component, the applicant will need to locate space at this location for this purpose which is open to the public. While the applicant has expressed a desire to have this retail component be more of an outlet with overruns for sale, the details of this will need to be updated in the plans before final sign off.

Based on the materials provided, staff believes the use will result in minimum impacts on surrounding properties. As adopted plans recommend that this parcel (and the entire Northside Town Center) remain as a neighborhood-focused mixed-use development, not to mention encourage additional employment be located at the Town Center, staff does not believe reuse of this building for a low impact use would preclude nearby properties from redeveloping in accordance to adopted plans. If approved, the Plan Commission retains "continuing jurisdiction" authority, meaning that should complaints arise the Commission could take further action, requiring additional conditions or possible revocation of the conditional use should it find the approval standards cannot be met.

Note that the Sherman Neighborhood Association fully supports this proposal due to the jobs that it will bring and greater appeal its presence will have on the neighborhood. Please see their letter of support in your materials.

**Conclusion-** Staff believes the conditional use standards can be met and that the proposed food manufacturing and processing along with the associated retail and office space will be a good fit in this building and within the greater Northside District. Therefore, staff recommends that it be approved by the Plan Commission.

## Recommendation

### Planning Division Recommendation (Contact Christopher 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 limited production and processing in a multi-tenant commercial building in CC-T (Commercial Corridor-Transitional District) zoning at 2921 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. Truck deliveries and shipments shall be restricted to 7:00am to 4:15pm, Monday to Friday.

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

2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
3. This project appears to have proposed uses which could require sanitary sewer demand charges or monitoring of the discharge of sanitary sewerage. The applicant shall install a monitoring manhole on the exterior of the building in compliance with City of Madison Engineering criteria. Please contact Tim Troester 608-267-1195 with any questions regarding this requirement.

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

4. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records. The address given is not sequential for this strip mall. An address update/change may be needed.

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

5. The supplemental regulations state that a limited production and processing use shall be compatible with adjacent nonindustrial uses and shall be accompanied by a retail component. Submit details including a detailed floor plan for the retail component of the project.
6. Clearly show the locations and dimensions of the loading areas. Required loading facilities shall comply with MGO Section 28.141(13). Provide a minimum of two (10' x 50') loading areas with 14' vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space.
7. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g), Table 28I-3 and 28.141(11). Provide a minimum of one (1) bicycle stall per five (5) employees. The bicycle parking stalls shall be located in a convenient and visible area on a paved or impervious surface within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
8. Exterior building alterations have not been proposed. Any future exterior building alterations will require appropriate reviews and approvals.
9. Rooftop and ground level mechanical equipment have not been proposed. Plans and details shall be submitted for review if rooftop or ground level mechanical equipment is proposed. All mechanical equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
10. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District 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)

11. The agency reviewed this request and has recommended no conditions or approval.

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

12. The agency reviewed this request and has recommended no conditions or approval.