

PLANNING DIVISION STAFF REPORT

May 23, 2022



PREPARED FOR THE PLAN COMMISSION

Project Address: 2425 South Stoughton Road (16th Aldermanic District, Alder Currie)
Application Type: Conditional Use
Legistar File ID #: [70926](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Odai Alghzawi; 305 Savannah Trail; Pardeeville, WI 53954

Property Owner: WI Development Partners LLC; 4916 E Broadway; Madison, WI 53716

Requested Action: Approval of a Conditional Use to allow auto repair in a Suburban Employment (SE) district at 2425 South Stoughton Road per MGO §28.085(2).

Proposal Summary: The applicant seeks approval of an auto repair facility (window tinting) in an existing building.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses, MGO §28.183(6).

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow auto repair in an existing building at 2425 South Stoughton Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 43,087-square foot (0.99 acre) property is located on the east side of the South Stoughton Road service road approximately 100 yards north of Pflaum Road. It is located within Aldermanic District 16 (Alder Currie) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: According to assessor data, the property is developed with a one-story 20,384-square foot building originally constructed in 1968, with additions in 1988 and 2001. The property is zoned Suburban Employment (SE) District.

Surrounding Land Use and Zoning:

North: A commercial store and shop building zoned SE (Suburban Employment District);

East: A warehouse and office zoned SE;

South: A fast food restaurant and one-story commercial building zoned CC-T (Commercial Corridor-Transitional District); and

West: Across South Stoughton Road, warehouse, office, commercial, and auto-repair building zoned CC-T.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends General Commercial (GC) uses for the subject parcel. The [Stoughton Road Revitalization Plan](#) (2008) places this location within the “Grid Development Area” and recommends a mix of employment and commercial uses.

Zoning Summary: The property is in the Suburban Employment (SE) District

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000	43,087
Lot Width	65 ft	128 ft
Front Yard Setback	5 ft	Existing, no change
Side Yard Setback	5 ft	Existing, no change
Rear Yard Setback	30 ft	Existing, no change
Minimum Building Height	22 ft	Existing, no change
Maximum Building Height	5 stories/68 ft	Existing, no change

Site Design	Required	Proposed
Number Parking Stalls	No minimum	Existing, no change
Accessible Stalls	Existing	Existing, no change
Loading	No	Existing, no change
Number Bike Parking Stalls	Existing	Existing, no change
Landscaping	Existing	Existing, no change
Lighting	Existing	Existing, no change
Building Forms	Existing	Existing, no change
Other Critical Zoning Items:	Utility Easements	

Table Prepared by Jacob Moskowitz, Assistant Zoning Administrator

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

Public Utilities and Services: This property is served by a full range of urban services.

Project Description, Analysis, and Conclusion

The applicant intends to operate a vehicle window tinting business in an existing building at 2425 South Stoughton Road. Anticipated hours of operation are Monday to Friday from 8 a.m. to 6 p.m. and Saturday from 10 a.m. to 4 p.m. The applicant is the sole employee, but has indicated the potential to hire additional employees in the future. The applicant’s letter of intent also mentions that the business may expand to include paint protection film and ceramic coating in the future. No exterior changes to the building are proposed.

The applicant is requesting approval of a Conditional Use to allow a vehicle service use in a Suburban Employment district per MGO §28.085(2), a request that is subject to the Conditional Use 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.

The Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable, neighborhood, neighborhood development, or special area plan. The [Comprehensive Plan](#) (2018) recommends Employment (E), which includes corporate and business offices, research facilities, laboratories, hospitals and clinics, and other similar uses, as well as limited retail and service establishments. The [Stoughton Road Revitalization Plan](#) (2008) places this location within the “Grid Development Area” and recommends an employment and commercial mixed-use business district for land uses. The Plan does not recommend specific building types for this site.

Automobile service, among other similar auto-oriented uses, are further restricted by Supplemental Regulations, found in MGO §28.151. Automobile serving and repair activities must occur within an enclosed building and these activities are limited to the hours of 7 a.m. to 7 p.m. unless all the building's windows and doors are closed. The storage of vehicle parts, vehicle cleaning, and temporary storage of vehicles during repair or pending delivery to customers is only permitted within the rear yard and building envelope of the site.

Surrounding uses are predominantly heavy commercial, or vehicle- or highway-oriented commercial uses. Considering the site's location and surrounding uses staff does not foresee negative impacts from this use. Further, as no changes are proposed for the site, staff does not believe the use would preclude development consistent with the mixed-use recommendations of the adopted plans. Planning Division staff believes the 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 on the operation of the conditional use.

At the time of report writing, staff is unaware of any comments from the public.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the request to allow auto repair in an existing building at 2425 South Stoughton Road. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Zoning (Contact Jacob Moskowitz, (608) 266-4560)

1. Compliance with all supplemental regulations in Sec. 28.151 is required, including:
 - (a) All automobile servicing and repair activities shall be carried on within an enclosed building.
 - (b) 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.
 - (c) The following activities and equipment are allowed outside if located within the rear yard and building envelope, and at least fifty (50) feet from a residential zoning district:
 1. Storage of vehicle parts and refuse.

2. Temporary storage of vehicles during repair and pending delivery to the customer.
3. Vacuuming and cleaning.

(d) 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, (608) 266-5987)

2. "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.

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