

PLANNING DIVISION STAFF REPORT

May 20, 2024



PREPARED FOR THE PLAN COMMISSION

Project Address: 2250 Pennsylvania Avenue (District 12 – Alder Latimer Burris)

Application Type: Conditional Use

Legistar File ID # [82730](#)

Prepared By: Colin Punt, Planning Division
Report includes comments from other City agencies, as noted.

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Andrea Greenwood; Pets Over Everything LLC; 315 W Main St; Waunakee, WI 53597

Owner: Penn Station LLC; 1918 Regent St; Madison, WI 53726

Requested Action: The applicant is seeking approval of the following conditional uses in the IL (Industrial Limited) district, all per §28.088(2), MGO:

- Animal Boarding,
- Animal Daycare, and
- Arts, Technical, or Trade School (dog training facility).

Proposal Summary: The applicant is seeking approvals to operate a pet boarding and pet daycare facility with dog training in an existing commercial building.

Applicable Regulations & Standards: Standards for conditional use approval are found in §28.183(6) M.G.O.

Review Required By: Plan Commission

Summary Recommendations: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests for conditional uses for animal boarding, daycare, and training at 2250 Pennsylvania Avenue. This recommendation is 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 subject site is 34,848 square feet and located on the west side of Pennsylvania Avenue between North Third Street and North Sixth Street. The site is within Alder District 12 (Alder Latimer Burris) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site, zoned IL (Industrial Limited), is currently occupied by a one-story 10,475-square foot commercial building originally constructed in 1965. The building, which has been expanded in the past, was originally built as the Dane County Humane Society. The southern portion of the lot is a parking lot.

Surrounding Land Uses and Zoning:

North: Variety of manufacturing, repair, and garage buildings zoned IL;

South: MG&E parking and storage lot zoned IL;

West: A very long linear parcel owned by MG&E without a clear single use, with Canadian Pacific and Wisconsin Southern Railroad lines beyond, all zoned IL;

East: Across Pennsylvania Avenue, Demetral Park, zoned PR (Parks & Recreation District).

Adopted Land Use Plan: The [Comprehensive Plan](#) (2023) recommends Employment (E) for the site. The [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2016) includes the subject site within the Pennsylvania Avenue Commercial Corridor sub-area but makes no land use recommendations for the site. The [Oscar Mayer Special Area Plan](#) (2020) recommends Employment for the site.

Zoning Summary: The subject property is proposed to be zoned IL (Industrial Limited District):

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000	34,848
Lot Width	75 ft	130 ft
Front Yard Setback	5 ft	Existing, no change
Side Yard Setback	None	Existing, no change
Rear Yard Setback	30 ft	Existing, no change
Maximum Lot Coverage	75%	Existing, no change
Maximum Building Height	None	Existing, no change

Site Design	Required	Proposed
Number Parking Stalls	No minimum	30
Electric Vehicle Stalls	None	None
Accessible Stalls	2	2
Loading	None	None
Number Bike Parking Stalls	4	None (1.)
Landscaping and Screening	Existing	Existing, no change
Lighting	Existing	Existing, no change
Building Form and Design	Existing	Existing, no change

Other Critical Zoning Items	Urban Design (UDD 4), Utility Easements
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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, & Conclusion

The applicant, representing Luna Pet Resort, is requesting conditional use approval to operate boarding and daycare for cats and dogs at an existing commercial building at 2250 Pennsylvania Avenue. Applicant intends to offer grooming and training concurrent with boarding and daycare times, as well as incidental accessory retail sales of pet-related items. Daycare operations are intended to operate from 7:00 a.m. to 6:00 p.m. and both daycare and boarding services will be offered seven days per week. Staff are proposed to be on-site from 6:30 a.m. to 8:30 p.m., but overnight supervision by staff may be provided on an as-needed basis. According to the letter of intent, daycare capacity will be 30 dogs. The letter of intent suggests that interior renovation will be phased and that boarding capacity will begin at a lower level, eventually reaching a capacity of 50 dogs at full-build out. Cat boarding capacity will be a maximum of five cats. Each boarded animal will have a separate room space. Outdoor activity areas, if they are planned, are not shown on the submitted plans.

This request is subject to the standards for conditional uses. This section continues with a summary of adopted plan recommendations, conditional use standards, a very brief review of UDC action, and finally a conclusion.

Consistency with Adopted Plans

The [Comprehensive Plan](#) (2023) recommends Employment (E) for the site. According to the Comprehensive Plan, E areas include predominantly corporate and business offices, research facilities, laboratories, hospitals, medical clinics, and similar uses, as well as limited retail and service establishments. The [Emerson East-Eken Park-Yahara Neighborhood Plan](#) (2016) includes the subject site within the Pennsylvania Avenue Commercial Corridor sub-area but makes no land use recommendations for the site. The [Oscar Mayer Special Area Plan](#) (2020) recommends Employment for the site.

Conditional Use Standards

In regard to 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. Of particular interest in the case of animal training, daycare, and boarding, is proximity to residential development and the impacts of animal noise. In this case, the facility is located more than 600 feet from the nearest residence, and the nearest residences are across Pennsylvania Avenue, which is a state highway, or railroad switching yard. Staff believe that all applicable conditional use standards can be found met.

Urban Design Commission

The site is within Urban Design District 4. However, there are no exterior changes proposed so the proposal has not been reviewed by the Urban Design Commission. The proposal has been reviewed and approved by the Urban Design Commission Secretary.

Conclusion

Staff believes that when considering the surrounding uses, the distance to any impacted residential uses, the adopted the plan recommendations, and the recommended conditions of approval the Plan Commission can find the applicable conditional use standards of approval to be met and approve the conditional use request. 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 time of writing, Staff is unaware of written comment from the public.

Recommendation

Planning Division Recommendations (Contact Colin Punt 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests for conditional uses for animal boarding, daycare, and training at 2250 Pennsylvania Avenue.

This recommendation is 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

Planning Division (Contact Colin Punt, 243-0455)

1. Identify any proposed outdoor animal exercise areas on the site plan and indicate fencing type/design for approval by staff.
2. Provide operations and management plan describing scheduling and method for providing outdoor exercise time for boarded dogs and dogs in daycare. Include waste removal plans in the management plan.

Zoning Administrator (Contact Jacob Moskowitz, 266-4560)

3. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 4 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.
4. Applicants shall submit at the time of permit application written operating procedures. Such procedures, which shall be followed for the life of the business, must address the identification and correction of animal behavior that impacts surrounding uses, including excessive barking.
5. Any outdoor portion of an animal boarding facility, kennel, shelter, or animal daycare shall be screened from view from adjacent property by a solid fence, hedge or similar plant material not to exceed six (6) feet in height.

City Engineering Division – Mapping Section (Contact Julius Smith, 264-9276)

6. If there is to be any site work provide an updated site plan. 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.

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

7. Note: The submitted plan references a new curb cut on Pennsylvania Avenue. Traffic Engineering does not support introducing a new curb cut with this proposal.
8. "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.
9. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Metro Transit (Contact Tim Sobota, 261-4289)

10. Metro Transit operates daily all-day transit service along Commercial Avenue nearest this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays). Additional service operates along East Johnson Street - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays).
11. Metro Transit would not estimate any trips being eligible trips towards US Green Building Council/LEED Quality Access to Transit points, to the extent the available transit stops on Commercial Avenue and East Johnson Street would be more than 1/4 mile walking distance from a public entrance at the proposed redevelopment site.

Fire Department (Contact Matt Hamilton, 266-4457)

12. MFD recommends that fire sprinklers be considered to be added to the building.

The City Engineering Division, Parks Division, Forestry Section, Water Utility, City Assessor, and Parking Division have reviewed this request and has recommended no conditions of approval.