



PREPARED FOR THE PLAN COMMISSION

Project Address: 4009 Felland Road
Application Type: Conditional Use
Legistar File ID #: [34162](#)
Prepared By: Heather Stouder, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Andrew Petersen; Fury Athletics of Madison, LLC; 808 Walsh Rd., Madison, WI, 53714

Project Contact/Owner: Dustin Atkielski; St. John Properties; 1020 James Dr., Suite G, Hartland, WI 53029

Requested Action: Approval of a conditional use for a restaurant-tavern and an outdoor seating area in an existing Landmark building formerly used as a restaurant.

Proposal Summary: The applicant proposes to utilize 6,600 square feet of a multi-tenant commercial building as a school for cheerleading instruction for youth.

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

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request for an arts, technical, or trade school at 4009 Felland 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: 4009 Felland Road is located on the northeast corner of Felland and Nelson Roads; Industrial-Light; Aldermanic District 17 (Clausius); Madison Metropolitan School District.

Existing Conditions and Land Use: The 13-acre property is developed with three multi-tenant commercial buildings totaling 177,300 square feet. The buildings were constructed between 2005 and 2007. The site has two access driveways off of Felland Road to surface parking and service areas between and around the buildings.

Surrounding Land Use and Zoning:

North: Undeveloped land in the PD (Planned Development) District.

East: Waste Management of Wisconsin Landfill in the PD (Planned Development) District.

South: Across Nelson Road to the south, vacant and agricultural land outside of city limits.

West: Across Felland Road to the west, residential condominiums in the PD (Planned Development) District.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Industrial uses for this site.

Zoning Summary: This property is in the Industrial Light (IL) District.

Dimensional Requirements	Required	Proposed
Lot area	20,000 sq. ft.	578,958 sq. ft.
Lot width	75'	581.62'
Front yard setback	0	Existing adequate
Side yard setback:	15'	Existing adequate
Rear yard setback	30'	Existing adequate
Maximum lot coverage	75%	Existing adequate
Site Design	Required	Proposed
Number parking stalls	No minimum	Existing
Bike parking	10 % capacity of persons (5)	None shown (1)
Landscaping	No	No
Lighting	No	No
Accessible stalls	Yes	Yes
Loading	0	0
Other critical zoning items: Utility easements, Barrier free (ILHR 69)		

Table Prepared by Patrick Anderson, 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 range of urban services, but not by Metro Transit.

Project Description, Analysis, and Conclusion

With no exterior changes proposed, the applicant proposes to utilize approximately 6,600 square feet of existing commercial space for cheerleading instruction with similar features as a gymnastics school. Youth ages 4-18 will be taught at the facility and the maximum capacity within the space will be 50 people at any one time. The three large buildings on the 13-acre property total approximately 177,300 square feet, and the site has approximately 300 parking stalls dispersed between the buildings. The one-story buildings have a split-faced block exterior, and flexible interior spaces for tenants of many different sizes.

Staff believes that with a capacity for up to 50 people, the specialty use is fine in this location, and that the site could also support other types of arts, technical, or trade schools of similar size, if this particular use were to vacate the site in the future. The automobile parking on the site will be more than adequate, especially since the proposed use likely has its highest parking demand at a time when surrounding uses have little or no parking needs. Bicycle parking is not visible on the submitted plans, and five bicycle parking stalls will need to be incorporated to meet zoning requirements.

Conditional Use Standards

Staff believes that the proposal can meet the conditional use standards as summarized below:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard can be met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard can be met.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard can be met.

4. *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.*

Staff believes that this standard can be met.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met, so long as all conditions of approval are addressed.

6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

Staff believes that this standard can be met, so long as all conditions of approval are addressed.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard can be met.

[Standards 8-15 do not apply to this request]

Staff does not have any concerns with the proposed use in this location, and believes that all of the conditional use standards can be met.

Recommendation

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the conditional use request for an arts, technical, or trade school at 4009 Felland 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

City Engineering Division (Contact Janet Schmidt, 261-9688)

1. The warehouse / office / miscellaneous suites of 110, 111, 132 & 133 have been combined into suite 112. Part of suite 112 has been reconfigured and is now part of suite 131. The addresses of 4009 Felland Rd Ste 110, 111, 132 & 133 have been inactivated.

2. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
- b) Internal walkway areas
- c) Internal site parking areas
- d) Lot lines and right-of-way lines
- e) Street names
- f) Stormwater Management Facilities
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans)

Zoning Administrator (Contact Pat Anderson, 266-5978)

3. Bike parking shall comply with MGO Table 28I-3 (General Regulations). Provide five bike parking stalls for said uses. Bicycle parking design and location shall comply with MGO Sec. 28.141 (11). Provide details of bike rack on final plans, a bike-parking stall is two feet by six feet with a five-foot access area.

Traffic Engineering (Contact Eric Halvorson, 266-6527)

4. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
5. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
6. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
7. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Fire Department (Contact Bill Sullivan, 261-9658)

8. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Water Utility (Contact Dennis Cawley, 266-4651)

9. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.