



Department of Planning & Community & Economic Development

Planning Division

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September 1, 2023

Brandon Robaidek
Robert E Lee and Associates, Inc.
1250 Centennial Centre Blvd
Hobart, WI 54155

RE: Consideration of a conditional use for a car wash in the Commercial Corridor-Transitional (CC-T) District, and Consideration of a major alteration to an existing conditional use for an alteration to a planned multi use site per MGO Section 28.137(2)(e) at 3913 Lien Road. (ID [78197](#)).

Dear Brandon,

On August 28, 2023, the Plan Commission, meeting in regular session, found that your client's requests for approval of two conditional uses at 3913 Lien Road did not meet the standards for approval and placed the requests on file.

Specifically, the Plan Commission found that your conditional use requests did not meet standards #4 and #7. : *"The Plan Commission shall consider the factors and information specified in items 1-6 and find that the proposed demolition or removal is consistent with the statement of purpose of this section and with the health, prosperity, safety, and welfare of the City of Madison."* In finding that the standard was not met, members cited the statement of purpose in Section 28.185 regarding implementation of approved plans, specifically noting that Recommendation 75 in the Downtown Plan recommends "...the preservation, rehabilitation and adaptive reuse of sound older buildings that contribute to the district's character".

Specifically, the Plan Commission found that your conditional use requests did not meet approval standards #4 and #7.

Standard #4 states, *"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."*

Regarding Standard No. 4, the Plan Commission noted the August 28, 2023 Planning Division Staff Report where it states *"In regards to the use itself, staff does not believe that establishment of an auto-oriented use, such as a car wash, is the intensity of use that is encouraged by the adopted plans. The auto-oriented development itself is not believed to significantly complement or directly support transit in the area."* The Plan Commission noted that the Greater East Towne Area Plan (GETAP) repeatedly encourages *"improvement that supports walkable, bikable, and transit-oriented development"*. That Plan classifies the subject parcel and surrounding parcels as Community Mixed-Use (CMU) which the Comprehensive Plan describes as a *"relatively high-intensity mix of residential, retail, office, institutional, and civic uses"*

generally located adjacent to a major transportation corridor with two to six stories.” Noted the proposed use would, by definition, bring vehicle trips and traffic to the subject parcel and access streets, by the very definition of the service that it provides, while also not supporting any other modes of transportation as outlined in the Plan. This subject area is intended by the GETAP to be for a mix of high intensity uses and this will be a less desirable location for the development of additional, higher intensity uses and of housing in particular because of the lines of idling cars running contrary to the goals of the adopted plan. (Noted lines of cars both on the parcel and perhaps off the parcel in high use times and after snow events, as the applicant mentioned.)

Standard #4 states, *“The conditional use conforms to all applicable regulations of the district in which it is located.”*

Regarding Conditional Use Standard No. 7, the Plan Commission noted that the Transit-Oriented Development (TOD) Ordinance states that the TOD Overlay District is *“intended to support investment in and use of public transit and bicycle connections. It does this by fostering development that intensifies land use and economic value around transit stations and by promoting a mix of uses that will enhance the livability of station areas. The district is also intended to: (a) Provide increased mobility choices. (b) Improve pedestrian connections, traffic and parking conditions. (c) Foster high-quality buildings and public spaces that help create and sustain long-term economic vitality.”* The Plan Commission objected to the fact that the proposed use is auto only and only benefits auto modes of transportation and does not support transit, which is contrary to and violates the goals of the TOD Overlay ordinance.

The Plan Commission’s decision is appealable to the Common Council as outlined in MGO Section 28.185(10). Any appeal shall be filed with the Zoning Administrator within ten (10) days of the final action of the Plan Commission.

If you have any questions about this matter, or if you may be of any further assistance, please do not hesitate to contact my office at cwells@cityofmadison.com or (608) 261-9135.

Sincerely,



Chris Wells
Planner