

## PLANNING DIVISION STAFF REPORT

June 8, 2015



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1325 Greenway Cross  
**Application Type:** Zoning Map Amendment  
**Legistar File ID #** [38243](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
Report includes comments from other City agencies, as noted.

### Summary

**Applicants:** Jeff Connelly & Larry Barton, Strang, Inc.; 6411 Mineral Point Road; Madison.

**Property Owner:** Ryan Palmer, 1325GC, LLC; 701 E. Washington Avenue, Suite 113; Madison.

**Requested Action:** Approval of a request to rezone 1325 Greenway Cross from IL (Industrial–Limited District) to CC-T (Commercial Corridor–Transitional District).

**Proposal Summary:** The applicant is requesting commercial zoning for an existing one-story, 22,535 square-foot multi-tenant building. The building currently includes a Montessori school and daycare as tenants and has recently seen requests reviewed by the Plan Commission to establish a banquet hall, salon, and a personal fitness training/ general retail business in other tenant spaces.

**Applicable Regulations & Standards:** Section 28.182 of the Zoning Code provides the process for zoning map amendments.

**Review Required By:** Plan Commission and Common Council

**Summary Recommendation:** The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–00168, rezoning 1325 Greenway Cross from IL to CC-T to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

### Background Information

**Parcel Location:** The subject site is a 1.6-acre parcel located at the southeastern corner of Greenway Cross and Index Road; Aldermanic District 14 (Carter); Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site is developed with a one-story, 22,535 square-foot multi-tenant commercial/ industrial with parking for 68 automobiles on the north, west and east sides; zoned IL (Industrial-Limited District).

#### Surrounding Land Use and Zoning:

North: Undeveloped lands, Bergstrom Automotive Group and Zion City Church, zoned CC-T (Commercial Corridor-Transitional District);

South: Light industrial and storage buildings in the City of Fitchburg;

East: Harper-Fritsch Commercial Photography, Integrity Auto Services, Applegate Auto, zoned IL (Industrial-Limited District);

**West:** Napa Auto Parts in the City of Madison, zoned CC (Commercial Center District); Madison Music Foundry in the City of Fitchburg.

**Adopted Land Use Plans:** The Comprehensive Plan identifies the subject site and properties generally located on both sides of Greenway Cross in the City of Madison east of Index and Applegate roads for Industrial uses; lands in the City to the west along Greenway Cross are recommended for General Commercial land uses.

The properties are located just outside the eastern boundary of the 2013 Arbor Hills-Leopold Neighborhood Plan, which effectively ends at Fish Hatchery Road but includes recommendations for the Fish Hatchery Road Commercial Corridor, which extends east to the west side of Index Road adjacent to the subject site.

**Zoning Summary:** The site will be zoned CC-T (Commercial Corridor–Transitional District):

Requirements	Required	Proposed
Lot Area	20,000 sq. ft.	68,588 sq. ft.
Lot Width	75’	175.14’
Front Yard	0’	55’ (Index Road)
Side Yards	15’	22’ on south side   55’ on north side
Rear Yard	30’	130’
Maximum Lot Coverage	75%	Less than 75%
Floor Area Ratio	N/A	---
Maximum Building Height	N/A	1 story, existing
Auto Parking	No minimum	68 (Existing, inc. 3 accessible stalls)
Bike Parking	Office: 1 per 2,000 sq. ft. Day Care: 1 per 5 employees Schools: 1 per 5 students General Retail: 1 per 400 sq. ft.	17, Adequate
Loading	N/A	0
Building Forms	Industrial Building	Existing, complies
Other Critical Zoning Items		
Yes:	Barrier Free	
No:	Floodplain, Urban Design, Wellhead Protection, Landmarks, Waterfront Development, Utility Easements	
Prepared by: Tim Parks, Planning Division		

**Environmental Corridor Status:** The property is not located within a mapped environmental corridor (Map E10).

**Public Utilities and Services:** The property is served by a full range of urban services, including limited Metro Transit, service located on Greenway Cross and Stewart Street and further to the west along Fish Hatchery Road.

## Previous Approvals & Requests

On July 28, 2014, the Plan Commission approved a conditional use for a 5,307 square foot reception hall in the subject multi-tenant building located at 1325 Greenway Cross.

On February 23, 2015, the Plan Commission approved a conditional use to allow a personal fitness training and instruction studio (arts/ technical/ trade school) and general retail sales in the subject building.

On May 18, 2015, the Plan Commission placed a conditional use request for a salon in the same building on file without prejudice at the request of the applicant.

## Project Description

The property owner is requesting approval of a request to rezone an existing 22,535 square-foot multi-tenant building ("Greenway Plaza") from IL (Industrial-Limited) to CC-T (Commercial Corridor-Transitional). Current tenants in the building include Greenway Crossing Montessori School and Greenway Plaza Kids Camp and a general office user, and other tenants have included a salon, restaurants, and other personal service businesses. As noted in the preceding section, the Plan Commission has reviewed requests within the last 12 months for other commercial uses of the building, including a salon, banquet hall, and personal fitness training and retail business, all of which required conditional use approval due to the industrial zoning of the property. All of those conditional uses in the IL district would be permitted uses in the proposed CC-T zoning.

A current site plan and existing floorplans of the one-story building are included in the application materials for reference. The applicant indicates that no alterations to the building or site are proposed with the rezoning.

## Analysis and Conclusion

The Planning Division believes that it would be appropriate for the Plan Commission to recommend approval of the proposed rezoning to the Common Council. Although the Comprehensive Plan recommends the subject site for Industrial uses, there is precedent for allowing commercial zoning on this site given the presence of commercial zoning and uses to the north and west of the site, and the historic presence of commercial uses in the building. A similar alder-initiated request to replace IL zoning with CC-T zoning for 6 parcels directly north of the subject site across Greenway Cross was approved in summer 2014. In that instance as well as with the current proposal, the properties were zoned C3L (Commercial Service and Distribution District) under the 1966 Zoning Code but were designated IL (Industrial-Limited District) with the new Zoning Code and map that took effect on January 2, 2013.

The boundaries of the area of IL zoning that includes the 6 subject parcels recently rezoned to the north as well as the subject site are part of a large area recommended for Industrial uses in the Comprehensive Plan that begins just east of Fish Hatchery Road at Applegate Road/ Index Road and is otherwise bounded by the Beltline Highway on the north, US Highway 14 and the Fitchburg city limits on the east, and Fitchburg on the south. [The southern half of the area recommended for Industrial uses was zoned IG (Industrial-General District) with the 2013 map.] The lands in the City located west of Applegate Road/ Index Road and the area recommended for Industrial uses are identified for General Commercial uses in the Comprehensive Plan and include auto sales and service facilities in CC-T zoning, and FIVE Nightclub, an auto parts store, multi-tenant office and general commercial buildings, and a KFC restaurant in CC (Commercial Center District) zoning. Moving east of the site, the uses become more industrial in nature but still include a number of more transitional commercial uses in IL zoning, including auto repair and sales, photographic equipment sales, and personal storage buildings.

Page 2-77 of the Comprehensive Plan notes that the Generalized Future Land Use Plan Maps in the plan are "a representation of the recommended pattern of future land uses at a large scale, and are not intended for application on a parcel-by-parcel basis; nor should it be interpreted as similar to a zoning district map. Recommended land uses are generalized in that the exact boundaries between one land use category and another are often only approximate..."

Although it is possible that the use of the subject site could transition to a more industrial profile consistent with the recommended land uses over time, it is also reasonable to conclude that the use of the building and site will continue to be predominantly commercial. Given the historic commercial uses and zoning of the subject property and its location on the boundary between the Industrial and General Commercial land use zones identified on Generalized Future Land Use Plan Map 2-2f, Planning staff believes that the request to zone the property to a commercial zoning district can be found to be consistent with the Comprehensive Plan.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission forward Zoning Map Amendment ID 28.022–28.022–00168, rezoning 1325 Greenway Cross from IL to CC-T), to the Common Council with a recommendation of **approval** subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies

**Recommended Conditions of Approval:** Major/Non-Standard Conditions are Shaded

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

1. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

### Traffic Engineering Division (Contact Eric Halvorson, 266-6527)

2. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
3. 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.
4. 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.
5. All parking facility design shall conform to the standards in MGO Section 10.08(6).

**Zoning Administrator** (Contact Matt Tucker, 266-4569)

This agency submitted a response with no comments or conditions for this request.

**Fire Department** (Contact Bill Sullivan, 261-9658)

This agency submitted a response with no comments or conditions for this request.

**Water Utility** (Contact Dennis Cawley, 261-9243)

6. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not provide comments for this request.

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

7. In their letter of intent, the applicant makes reference to the fact that "the property remains automobile oriented but yet is seated along the Madison Metro transit route which encourages other means public transportation." Metro Transit has raised repeated concerns about the conditional use applications made for this property, citing the general lack of sidewalks along the property frontage and specific lack of wheelchair accessibility both at the Metro Transit bus stop location adjacent the property and between the bus stop location and the business entrances.
8. Due to applicant citing the availability of the existing Metro Transit route as reason to rezone this property, the applicant shall coordinate public works improvements to install an accessible concrete boarding pad at the existing bus stop, and provide an accessible pedestrian connection between this bus stop boarding pad and the building entrance.