



# Report to the Plan Commission

May 10, 2010

**Legistar I.D. #18343**  
**911 Stewart St**  
**Conditional Use Request**

Report Prepared By:  
Heather Stouder, AICP  
Planning Division Staff

**Requested Action:** Approval of a conditional use for automobile sales in the M1 (Limited Manufacturing) District.

**Applicable Regulations & Standards:** Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission finds the conditional use standards can be met and **approve** the request for a conditional use for automobile sales.

## Background Information

**Applicant/Project Contact:** Michael Hanna; Top Deal Auto Sales, LLC; 911 Stewart St.; Madison

**Property Owner:** Fair Crest Management; 1865 Northport Dr. Unit B; Madison

**Proposal:** The applicant requests a conditional use for automobile sales at an automobile repair facility at this site.

**Parcel Location:** 911 Stewart Street is located on the south side of Stewart Street between Watford Way and Syene Road; Aldermanic District 14 (Bruer); Madison Metropolitan School District.

**Existing Conditions:** The 1.4-acre parcel is part of a 6.2-acre, multi-tenant commercial rental property with 26 one-story buildings on five parcels. Uses on the property include automobile repair, contractor's shops, and other commercial, warehousing, or light industrial uses. The applicant is a tenant within a 3,500 square foot building close to Stewart Street in the north central part of the property.

**Surrounding Land Use and Zoning:** The property is surrounded by general warehouses, contractor's offices, and other light industrial uses in the M1 (Light Manufacturing) District.

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends Industrial uses for this property. There is no adopted neighborhood plan for this site.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** The property is served by a range of urban services.

**Zoning Summary:** The property is in the M1 (Limited Manufacturing) District.

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	60,000 sq. ft.
Lot width	50'	Adequate
Front yard	0'	Existing building
Side yards	0'	Existing building
Rear yard	10'	Adequate
Floor area ratio	2.0	Less than 1.0
Building height	--	1 story

**Site Design**

No. Parking stalls	1 car sales/showroom 4 display stalls	5 employee/customer 4 display stalls <i>(See Condition No. 8, Page 4)</i>
Accessible stalls	Yes- existing	Existing
No. Bike Parking stalls	2	0 <i>(See Condition No. 10, Page 4)</i>
Landscaping	Yes	Existing <i>(See Condition No. 12, Page 4)</i>
Lighting	No	

**Other Critical Zoning Items**

Urban Design	No
Floodplain	No
Utility Easements	None shown
Barrier free (ILHR 69)	Yes

*Prepared by: Pat Anderson, Asst. Zoning Administrator*

**Project Description**

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**Existing Conditions**

The 1.4-acre parcel is part of a 6.2-acre, multi-tenant commercial rental property with 26 one-story buildings on five parcels. Uses on the property include automobile repair, contractor's shops, and other commercial, warehousing, and light industrial uses. The applicant is a new tenant within half of a building close to Stewart Street in the north central part of the property. The buildings on the site are surrounded by asphalt for parking and loading, and each building has overhead garage doors for use by tenants. This specific tenant space has five parking spaces, including one accessible space, for use by employees and customers immediately adjacent to the building on the west side.

**Site Plan**

No physical changes are proposed to the site or building in conjunction with this request. The applicant is requesting the conditional use to add limited automobile sales to the automobile repair business, and proposes to utilize a 41-foot by 25-foot asphalt surface immediately north of the building, adjacent to Stewart Street, for the display of a maximum of four automobiles for sale at any one time.

**Evaluation and Conclusion**

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The sale of a limited number of automobiles in conjunction with an auto repair facility is consistent with the Comprehensive Plan recommendation for Industrial uses in this area. As noted in many agency staff conditions, the site plan will need to be revised and drawn to the correct scale, meet all contemporary parking lot standards, and include a clear delineation of the automobile display area. Planning Division staff believes that the sale of a limited number of automobiles in conjunction with an automobile repair service would be appropriate in this location, but recommends that a maximum of four automobiles be permitted to be displayed for sale at any one time on the site.

One owner of a similar business in the same group of properties contacted staff to find out more about the proposal. During a telephone conversation, he noted that he would be concerned if the entire site were open to vehicle sales, as it would drastically increase the traffic in this area, but he seemed to be supportive of the conditional use request, as long as automobile sales was limited (see his written comments, attached).

Planning Division staff recommends that the Plan Commission finds that the conditional use standards can be met, and **approve** the request subject to input at the public hearing and conditions from reviewing agencies.

### **Recommendations and Proposed Conditions of Approval**

Major/Non-Standard Conditions are shaded

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#### **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 request subject to input at the public hearing and the following conditions:

#### **Planning Division** (Contact Heather Stouder, 266-5874)

1. The display of automobiles for sale will be limited to four automobiles at any given time, and will be limited to the 41-foot by 25-foot space between the building and the public right of way. Automobiles stored in this space must be in good condition and displayed for sale.

*The following conditions have been submitted by reviewing agencies:*

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

2. The shop and office dimensions are conflicting in the text and drawing portions of this application.
3. Alpha addresses do not conform to Madison General Ordinances. Coordinate an address plan for this site. In accordance with 10.34 MGO – STREET NUMBERS: Submit a PDF of each floor plan to Engineering Mapping Lori Zenchenko ([addressing@cityofmadison.com](mailto:addressing@cityofmadison.com)) so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

#### **Traffic Engineering Division** (Contact John Leach, 267-8755)

4. When the applicant submits final plans of one contiguous plan showing 805 to 929 Stewart Street for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
5. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
6. The applicant shall show dimensions for the proposed and existing parking stalls' items B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned. The applicant shall note display car spaces on the site plan.
7. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

8. The final site plan must reflect compliance with parking lot geometrics as outlined in MGO 10. Parking spaces designated for automobile display must be identified on final site plan.
9. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
10. Provide two (2) bicycle parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location.

**NOTE:** A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

11. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards (see parking lot packet). Lighting will be limited to .10 watts per square foot.
12. Parking lot plans with greater than twenty (20) stalls shall comply with MGO Section 28.04(12). Landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element

**NOTE:** The required trees do not count toward the landscape total.

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

13. This property is not in a Wellhead Protection District. All wells on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

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

This agency requested an update of emergency contact info for the site (*fulfilled by the applicant*).

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

This agency did not submit a response for this request.