

PLANNING DIVISION STAFF REPORT

February 20, 2017



PREPARED FOR THE PLAN COMMISSION

Project Address: 5202 High Crossing Blvd. (District 17 - Ald. Baldeh)
Application Type: Conditional Use
Legistar File ID # [45656](#)
Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Phil Harrington; Russ Darrow Madison, LLC; 5234 High Crossing Blvd.; Madison, WI 53718

Property Owner: B&G Realty, LLC; 100 E Wisconsin Ave. Suite 1900; Milwaukee, WI 53202

Project Contact: Stephanie Noel; Russ Darrow Group Inc.; W133 N8569 Executive Pkwy.; Menominee Falls, WI 53051

Requested Action: The applicant requests approval of a Conditional Use to establish a private parking facility in the Commercial Center (CC) zoning district.

Proposal Summary: The Applicant is seeking approval of a Conditional Use to establish a private parking facility in the CC zoning district at 5202 High Crossing Blvd. As part of the proposal, the Applicant is proposing to utilize an existing unused parking lot as a private parking facility. The subject parking lot is the surface lot that is accessory to a now vacant movie theater (East Gate Cinema) located at 5202 High Crossing Blvd. The Applicant is proposing to utilize the existing surface parking lot as overstock vehicle storage for the Russ Darrow Mazda dealership located at 5234 High Crossing Blvd. and the Chrysler Dodge RAM dealership located at 3502 Lancaster Dr.

No site improvements are proposed or required as part of the application request.

As stated the Applicant's Letter of Intent the use will be abandoned at such a time as the property is sold or the vehicle storage is no longer needed.

Applicable Regulations & Standards: Pursuant to Section 28.061, MGO, private parking facilities are identified as conditional uses in the CC zoning district. As such, the development proposal is subject to the standards for Conditional Uses pursuant to Section 28.183(6), MGO.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the conditional use request to establish a private parking facility at 5202 High Crossing Blvd. This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The project site is located on the north side of High Crossing Boulevard, east of the Interstate 90/94 interchange and is comprised of approximately 620,773 square feet (14.25 acres).

The site is in Aldermanic District 17 (Baldeh), the Sun Prairie School District, the Nelson Road Neighborhood Development Plan planning area, and the High Crossing Neighborhood Association.

Existing Conditions and Land Use: Currently the project site is home to a shuttered movie theater (East Gate Cinema) with no active use existing on site today.

While the subject property has been and is currently utilized for the storage of vehicles for the aforementioned car dealerships, Zoning Code Enforcement staff has been working with the Applicant since June 2016 on completing the Conditional Use process for the use of the subject parking lot as a private parking facility. If approved, this Conditional Use request will extinguish the current enforcement action being taken against the Applicant.

Surrounding Land Use and Zoning: The project site is zoned Commercial Center (CC). Pursuant to Section 28.068, MGO, the CC zoning district’s general purpose and intent statement speaks to:

- Improving the quality of landscaping, site design and urban design along these corridor;
- Encouraging the diversification of land uses in commercial centers;
- Encouraging appropriate transitions between higher-intensity uses along commercial corridors and adjacent lower-density residential districts; and
- Facilitating preservation, development or redevelopment consistent with the adopted goals objectives, policies and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

North (across E Washington Avenue): Commercial uses within the American Center; Suburban Employment Center (SEC) zoning;

South: Commercial uses; CC zoning;

East: Commercial uses; CC; and

West: Commercial uses and Interstate 90/94 interchange; CC zoning.

Zoning Summary:

| Commercial Center (CC) Zoning Summary | | |
|--|--|-------------------------------|
| Requirements | Required | Proposed |
| Front Yard Setback | None | Existing front yard setback |
| Side Yard Setback | One-story: 5' Two-story or higher: 6' | Existing side yard setbacks |
| Rear Yard Setback | The lesser of 20% lot depth or 20' | Existing rear yard setback |
| Maximum Lot Coverage | 85% | Existing lot coverage |
| Maximum Building Height | 5 stories/68' | Existing building |
| Site Design | Required | Proposed |
| Number Parking Stalls | None | 843 existing parking stalls |
| Accessible Stalls | None | 17 existing accessible stalls |
| Loading | None | None |
| Number Bike Parking Stalls | None | Existing bike parking |
| Landscaping and Screening | No | Existing site landscaping |
| Lighting | No | Existing site lighting |
| Building Forms | No | Existing parking lot |

| Other Critical Zoning Items | |
|-----------------------------|---|
| Yes: | N/A |
| No: | Urban Design, Historic District, Floodplain, Adjacent to Park, Barrier Free (ILHR 69), Utility Easements, Wetlands Wellhead Protection District |

Zoning Table prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Adopted Land Use Plan: The Comprehensive Plan designates the project site as being within the General Commercial (GC) district. Generally, the Comprehensive Plan recommends GC provide a wide range of goods and services, both in compact urban settings as activity centers and in a larger scale development format as ‘big box’ retailers and “heavy” commercial uses not generally compatible with residential or small-scale commercial activities. While the Comprehensive Plan does identify these areas as being primarily comprised of non-residential uses, it does also recognize that limited residential uses may be present throughout the district (Page 2-92-93, Comprehensive Plan).

Adopted Neighborhood Development Plan: The project site is located within the Nelson Neighborhood Development Plan (the “Plan”) planning area. The Plan identifies the project site as being within an area that is recommended for retail/service land uses. As stated in the Plan, “This area is not recommended for large-scale or region-serving retail development, but should emphasize activities that support other planned neighborhood components, such as goods and services valued by office users or neighborhood residential...” (Page 9, Nelson Neighborhood Development Plan).

Environmental Corridor Status: The subject site not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Project Description

The Applicant is seeking approval of a Conditional Use to establish a private parking facility in the CC zoning district at 5202 High Crossing Blvd. As part of the proposal, the Applicant is proposing to utilize an existing unused parking lot as a private parking facility. The subject parking lot is the surface lot that is accessory to a now vacant movie theater (East Gate Cinema) located at 5202 High Crossing Blvd. The Applicant is proposing to utilize the existing surface parking lot as overstock vehicle storage for the Russ Darrow Mazda dealership located at 5234 High Crossing Blvd. and the Chrysler Dodge RAM dealership located at 3502 Lancaster Dr.

No site improvements are proposed or required as part of the application request.

As stated the Applicant’s Letter of Intent the use will be abandoned at such a time as the property is sold or the vehicle storage is no longer needed.

Analysis and Conclusion

This proposal is subject to the standards for Conditional Use pursuant to Section 28.183(6), MGO. Generally, the intent of a Conditional Use review is to determine if a particular site is an appropriate location for a proposed use, to evaluate the compatibility of that use with surrounding uses and development, and to mitigate potential nuisance impacts to surrounding properties.

In order to approve the Conditional Use request, Plan Commission must find that the proposed Conditional Use approval standards pursuant to Section 28.183(6), MGO, including those related to mitigating nuisance impacts, and consistency and compatibility with the existing development have been met.

Planning Division staff believes that the proposed Conditional Use requests can meet the approval standards, including:

- The area is characterized by predominantly commercial and highway-oriented uses serving as a retail-commercial activity center on Madison’s east side that is already served by a full range of City services as identified in the City’s Comprehensive Plan and adopted neighborhood plan. The development proposal, while not a redevelopment of the project site, will maintain the existing parking lot and its condition (see Zoning Condition No. 1). It will also provide activity on the site where none exists today. The Planning Division staff believes that the proposal is consistent with the development pattern prevalent in the area and currently on the project site, intent of the zoning district and adopted neighborhood plan that speak to encouraging diversification of land uses (Standards #1-2, 4-5).
- Given that the existing parking lot will be maintained, Planning Division staff believes that the proposal to use an existing, vacant parking lot for vehicle storage for an existing retailer in the area, will maintain consistency and compatibility with the nature and operational characteristics of the surrounding uses as identified in both the Comprehensive Plan and adopted neighborhood plan. Based on the submitted information, Planning Division staff does not anticipate any adverse impacts related to this proposal (Standard No. 3).

At the time of report writing no public comment had been received.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the conditional use request to establish a private parking facility at 5202 High Crossing Blvd. This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

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

Planning Division (Contact Jessica Vaughn, (608) 267-8733)

This agency has reviewed this request and has recommended no conditions of approval.

City Engineering Division (Contact Brenda Stanley, (608) 261-9137)

This agency has reviewed this request and has recommended no conditions of approval.

Traffic Engineering Division (Contact Eric Halvorson, (608) 266-6527)

1. It is recommended that the applicant install pedestrian improvements between the two lots to assist employees who are required to move vehicular inventory between the lots.

Zoning (Jenny Kirchgatter, Assistant Zoning Administrator, (608) 266-4429)

1. The private parking facility will be maintained in compliance with the approved site and landscape plans

Fire Department (Contact Bill Sullivan, (608) 261-9658)

This agency has reviewed this request and has recommended no conditions of approval.

Parks Division (Contact Janet Schmidt, (608) 266-4714)

This agency has reviewed this request and has recommended no conditions of approval.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

This agency has reviewed this request and has recommended no conditions of approval.

Metro Transit (Contact Timothy Sobota, (608) 261-4289)

1. Metro Transit operates daily transit service (every thirty minutes) along both sides of High Crossing Boulevard through the Crossroads Drive intersection, opposite the project site. The westbound bus stop zone #9264 currently extends along the north side of High Crossing Boulevard, from the existing bus stop sign pole back east to the signalized driveway entrance – but due to the lack of public sidewalk, this bus stop is not compliant with ADA standards for accessible passenger boarding and lighting.

City Engineering Review Mapping (Contact Jeff Quamme, (608) 266-4097)

This agency has reviewed this request and has recommended no conditions of approval.