



PREPARED FOR THE PLAN COMMISSION

Project Address: 1529 Gilson Street (13th Aldermanic District, Ald. Evers)
Application Type: Conditional Use
Legistar File ID #: [68192](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Grant Foster; Madison CycleWorks Cooperative; 3930 Anchor Dr; Madison, WI 53714

Owner: Curt Roeming; Gilson Street LLC; 429 N Paterson St; Madison, WI 53703

Requested Action: Approval of Conditional Uses for general retail, outdoor display, and free-standing vending within 200 feet of a residential use in a Traditional Employment district at 1529 Gilson Street per M.G.O. §28.084(2).

Proposal Summary: The applicant seeks approval of the necessary conditional uses for a bicycle shop with related community activities.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses, M.G.O. §28.183(6).

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests for conditional uses for general retail, outdoor display, and free-standing vending at 1529 Gilson Street. 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: The subject site is an 8,598-square-foot parcel located at on the east side of Gilson Street as it turns northeasterly approximately 250 feet east of Beld Street. It is within Aldermanic District 13 (Alder Evers) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The site, zoned TE (Traditional Employment District), is occupied by a one-story 5,535-square foot warehouse building constructed in 1930.

Surrounding Land Uses and Zoning:

North: A single-family residence and a one-story shop building, both zoned TE (Traditional Employment);

West: Across Gilson Street one-story brewery and a two-story mixed-use building, both zoned TE;

South: A warehouse with office space zoned TE; and

East: Across a Wisconsin & Southern railroad, a taxi storage yard and towing yard with small office buildings, all zoned TE.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends MR (Medium Residential) for the site. The [South Madison Neighborhood Plan](#) (2005) recommends the redevelopment of the Gilson Street area to single-family and multi-family housing. A complete revision to the [South Madison Plan](#) is currently underway, which includes this site.

Zoning Summary: The subject property is zoned TE (Traditional Employment District):

| Requirements | Required | Proposed |
|-------------------------|-----------------|---------------------|
| Lot Area (sq. ft.) | 6,000 | 8,598 |
| Lot Width | 50 ft | 71 ft |
| Front Yard Setback | 5 ft | Existing, no change |
| Side Yard Setback | None | Existing, no change |
| Rear Yard Setback | 20 ft | Existing, no change |
| Maximum Lot Coverage | 85% | Existing, no change |
| Minimum Building Height | 22 ft | Existing, no change |
| Maximum Building Height | 5 stories/68 ft | Existing, no change |

| Site Design | Required | Proposed |
|-------------------------------------|-----------------------|---------------------|
| Number Parking Stalls | No minimum | None |
| Accessible Stalls | None | None |
| Loading | No | No |
| Number Bike Parking Stalls | 1 per 2,000 sq ft = 3 | Unknown (1.) |
| Landscaping | Yes | Existing, no change |
| Lighting | No | No (2.) |
| Building Forms | Yes | Existing, no change |
| Other Critical Zoning Items: | Utility Easements | |

Table Prepared by Jacob Moskowitz, 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 full range of urban services.

Project Description, Analysis, and Conclusion

The applicant intends to establish a worker co-op operating a bicycle delivery service, bicycle shop, and cultural center requiring a number of conditional uses. The proposal includes several activities. A delivery-by-bike service will deliver to-go food, groceries, and other local goods to customers from area businesses. A bicycle shop will offer new and used bicycle sales and repair with associated parts and accessory retail. The site will also operate as a base for pedicab and vending by bicycle services. The interior and exterior space will also be used as a flexible space for community activities and cultural events.

The applicant will be leasing space in an existing warehouse building remodeled in 2018. The space was previously used for brewery operations, which will remain in the building, but will be relocated to the rear in a different tenant space. A new interior wall will separate building into two tenant spaces and new vestibules will enable shared use of the restroom and entrance and exit by both tenant spaces. Entry to the applicant's tenant space is

in northwest corner of the building. Three overhead doors provide access to employees, customers, and other users with bicycles.

While the proposed interior uses include bicycle repair, bicycle and bicycle parts/accessories sales, bicycle delivery dispatch and loading, and community gathering/event space; the existing parking lot in front of the building is proposed to be used for cargo bicycle access and some limited motor vehicle access for loading and unloading. The parking lot will also be used for outdoor display, space for a food cart, outdoor seating for customers of the bike shop and food cart, and community activities.

The applicant has not proposed specific hours of operation but believes the bike shop component will operate from mid-morning to early evening. The delivery service may begin earlier and end later. Cultural and other special events will generally match bike shop hours. The applicant believes one to four bike shop employees will be present during open hours, with a small number of delivery employees present at any one time.

If approved, the applicant intends to begin build-out in January 2022, with occupancy by April 2022.

Adopted Plan Recommendations

The [Comprehensive Plan](#) (2018) recommends MR (Medium Residential), which generally includes larger multifamily buildings or multifamily complexes, sometimes interspersed with other smaller housing types. The [South Madison Neighborhood Plan](#) (2005) recommends the redevelopment of the Gilson Street area to single-family and multi-family housing. Adopted plans that are in place at the time of application should be considered as part of their review. As a reference, the City is in the process of preparing the [South Madison Plan](#) which includes this site, though only plans adopted at the time of application should be considered as part of the Commission's review.

Conditional Use Standards

The applicant is requesting approval of Conditional Uses for general retail, outdoor display, and free-standing vending. In regards to conditional use approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of §28.183(6) M.G.O. are met. Staff advises the Plan Commission that in evaluating the conditional use standards, State law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation.

Outdoor eating areas are often accompanied by light and noise, which are sometimes called out in reference to conditional use approval standard 1, related to the detriment or endangerment of public health, safety, and welfare, and standard 3, regarding impairment or diminishment of uses, values, and enjoyment of other property in the neighborhood. Free-standing vending, the presence of a food cart in this situation, raises similar concerns. However, in this case, because of the location of the outdoor eating area and free-standing vending, the type of surrounding development, and the mixed urban characteristic of the surrounding environment, Staff does not anticipate the uses will result in negative impacts on surrounding properties and believes that all applicable standards of approval can be found met. Finally, regarding the conditional use request for general retail, the surrounding area includes similar customer-oriented uses, and in consideration of the scale and anticipated intensity of the use, staff believes that all applicable standards of approval can be found met.

Conclusion

Staff believes that given the surrounding uses, the location of the outdoor eating area and free-standing vending away from any residential uses, and the plan recommendations, the Plan Commission can find the applicable conditional use standards of approval to be met and approve all conditional use requests. Staff notes that as a conditional use, the Plan Commission retains “continuing jurisdiction” to review and resolve complaints that may arise on the operation of any of the conditional uses.

At time of report writing, staff is unaware of any public comments.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the requests for conditional uses for general retail, outdoor display, and free-standing vending at 1529 Gilson Street. 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

Zoning (Contact Jacob Moskowitz, (608) 266-4560)

1. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 3 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
2. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
3. Hours of operation for the free-standing vending shall be between the hours of 7:30 a.m. and 11:30 p.m., including set up and take down. No part of the operator's free-standing vending equipment or operation may remain on the property outside the hours of operation.
4. Outdoor display shall not exceed sixteen (16) hours per day.
5. Occasional temporary events are allowed as accessory or incidental uses.

City Engineering Division – Mapping Section (Contact Jeffrey Quamme, (608) 266-4097)

6. The numbers in the boxes on the tenant floor plan sheet A1.1 sheet are not addresses. The tenant addresses are 1529 Gilson St STE 100 and 1529 Gilson St STE 101 (101 is for the L shaped tenant space). Please add the addresses to the plans. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Fire Department (Contact Bill Sullivan, (608) 886-4691)

7. The potential cultural/community pop up events could trigger a building occupancy change of use to an assembly occupancy within the building code. Depending on occupants and building area, fire sprinklers could be required in the space.

The Planning Division, Traffic Engineering Division, Parks Division, Water Utility, and Metro Transit have reviewed this request and have recommended no conditions of approval