



PREPARED FOR THE PLAN COMMISSION

Project Address: 3120 Syene Road (14th Aldermanic District, Ald. Carter)
Application Type: Conditional Use
Legistar File ID # [44171](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Laura Schorrak; Two Browntails LLC, DBA The Dog Den; 1019 Jonathon Drive; Madison, WI 53713
Contact: Amy Hasselman; Kontext Architects; 116 E. Dayton Street; Madison, WI 53703
Property Owner: Vince Kapalczynski; BIVA, LLC; 136 Fawn Court; Oregon, WI 53575

Requested Action: The applicant requests approval of a conditional use for an animal daycare in an existing building on a property zoned Industrial - General (IG) at 3120 Syene Road.

Proposal Summary: The applicant seeks approval to open an animal daycare in an existing building.

Applicable Regulations & Standards: Section 28.082(1) of the Zoning Code lists *Animal Daycare* as a conditional use in the Industrial - General (IG) district. Therefore, this proposal is subject to the standards for Conditional Uses [Section 28.183]. The Supplemental Regulations [Section 28.151] contain further regulations for this type of use.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the request for an animal daycare on a property zoned Industrial - General (IG) at 3120 Syene Road. This request is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 89,950-square-foot (2.06-acre) project site is located at the northwest corner of the intersection of Syene Road and Watson Avenue. The site is in Aldermanic District 14 (Carter) and is in the Madison Metropolitan School District.

Existing Conditions and Land Use: The site includes an existing 29,380-square-foot industrial warehouse building filling the central half of the site with two parking lots to the north and south. The northern lot is accessed from Syene Road while the larger lot to the south with two loading bays, is accessed from Watson Avenue. In its current configuration, the building is divided into two tenant spaces – the western space is approximately 30,000 square feet and is occupied by the warehousing operations of American Printing Company, while the eastern space is vacant.

Surrounding Land Use and Zoning:

North: A lot for commercial-grade equipment and industrial warehouses, both zoned Industrial-General (IG);

South: Across Watson Avenue is a building materials manufacturer, zoned Industrial-General (IG);

East: Across Syene Road is a building materials manufacturer, zoned Industrial-Limited (IL),; and

West: An industrial manufacturer, zoned Industrial-General (IG).

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends Industrial uses for the site. There is no neighborhood plan covering this parcel.

Zoning Summary: The project site is currently zoned Industrial General (IG).

Requirements	Required	Proposed
Lot Area (sq. ft.)	10,000 sq. ft.	89,950 sq. ft.
Lot Width	65'	300'
Front Yard Setback	None	20'
Side Yard Setback	15' or 20% building height (the greater); 30' from residential district boundary	North: 30' South: 70'
Rear Yard Setback	30'	30'
Maximum Lot Coverage	75%	Existing lot coverage (See Comment #12)
Outdoor processing, storage or loading	100' from residential district boundary	Adequate
Maximum Building Height	None	One-story existing building
Number Parking Stalls	None	35 existing stalls 7 proposed stalls 42 total stalls
Accessible Stalls	Yes (2)	1 (See Comment #13)
Loading	None	Existing loading docks
Number Bike Parking Stalls	Animal daycare: 1 per 5,000 sq. ft. floor area (2 minimum)	2 (See Comment #14)
Landscaping and Screening	No	Existing landscaping (See Comment #15)
Lighting	No	Existing lighting
Building Forms	No	Existing building
Other Critical Zoning Items	Barrier Free (ILHR 69); Utility Easements	

Table Prepared by Jenny Kirchgatter, 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, including all day weekday Metro service located 0.4-miles away at the intersection of Stewart Street and Watford Way.

Project Description, Analysis and Conclusion

Due to increased demands and constrained existing space at their current facility at 1019 Jonathon Drive, the applicant, Two Brown Tails LLC, DBA The Dog Den, seeks approval to open an animal daycare within an existing industrial building. They plan to offer puppy daycare and training for puppies under one year of age (when the puppies reach one year old, they will move to the main location on Jonathon Drive). The applicant is looking to occupy approximately 6,500 square feet of the existing, roughly 29,400-square-foot building for the Puppy Den.

A few alterations are required to make the existing space suitable for the Puppy Den. As the applicant specifies in their submitted materials, *“Proposed alterations are mostly to the flooring, to install a waterproof finish. Other alterations are to change an exterior window to a door [on the northern façade] with sidelights for the main client entry, stripe some new parking spaces on the existing asphalt, and enclose a fenced area for outdoor puppy exercise. Final site configuration will add an accessible parking stall to the east of the new entry door on the north side of the building and six client parking spaces [on the northern side of the northern parking lot].”* Two covered bicycle parking spaces will be added to the west of the proposed fenced-in area, underneath the existing covered loading area. The interior space will be divided up into four various-sized puppy play rooms, offices, and staff support/maintenance rooms. An existing concrete ramp along the southern façade will provide access to the proposed external play area which will be 27-feet by 56½-feet (1,525 square feet) and enclosed by a six-foot high wooden fence. The area will have two gates near the southwest and northeast corners.

The requested hours of operation are Monday through Friday, 6:00 a.m. to 6:00 p.m. for the puppy daycare of approximately 40-50 puppies, with weekday evening and weekend training classes for approximately six to ten clients (and their puppies) running no later than 9:00 p.m.. The applicant notes that the hours of operation for the outdoor play area will be from 6:30 a.m. to 6:00 p.m., Monday through Friday and has further specified that from 6:30 a.m. to 7:30 a.m., the puppies will just be allowed to ‘take care of themselves’ quickly before being brought back inside the facility. During the day, three to five employees will be present and in the evenings, two to three employees will be present. Complying with the supplemental regulation for *Animal Day Care*, the applicant has submitted a policy document (*Standard Operating Procedures for The Puppy Den*) which thoroughly covers their internal management policies for managing the puppies and as required, addresses the identification and correction of animal behavior that impacts surrounding uses, including excessive barking.

There are 35 existing parking stalls on site with seven more proposed along the northern edge. While one accessible stall has been provided, two are required. The applicant will need to update the plans before final signoff. While the applicant is also proposing new signage on site, staff notes that they are not included in this review.

Land Use and Plan Consistency – The Planning Division believes the plan is consistent with the recommendations in the Comprehensive Plan (2006) as the Plan notes that *“Industrial districts accommodate typical industrial and manufacturing uses, including some “nuisance” uses not appropriately located in proximity to residential or many types of nonresidential activities due to noise, odor, appearance or traffic impacts, for example.”* Staff notes that the nearest residential use is approximately 300-feet from the proposed external fenced-in play area.

Conditional Use Standards – The Planning Division believes the proposed animal day care facility meets the conditional use approval standards. While there are heavy industrial uses adjacent to the proposed animal day care facility, they are all primarily enclosed within their buildings and therefore staff is not concerned about the effect of the noise, odors, etc. on the puppies in the fenced-in area. Staff is also not concerned about the interaction of visitors to the site with large trucks given the reduced interaction resulting from the direct access off of Syene Road. Furthermore, given the proposed hours of operation of the facility, the proposed hours of operation of the outdoor play area, the fact that the proposed site for this fenced-in play area is roughly 300-feet away from the nearest residential use, in addition to the established (and time-tested) management plan for indentifying and correcting animal behavior like excessive barking, staff does not believe the proposed animal daycare facility will result in negative impacts on the surrounding property. If approved, the Plan Commission retains continuing jurisdiction over this conditional use, meaning that should complaints be filed, the Plan Commission could take further action on this conditional use as allowed in MGO Section 28.183(9)(d).

At the time of report writing, staff was not aware of any neighborhood concerns on this request.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the request for an animal daycare on a property zoned Industrial - General (IG) at 3120 Syene Road. This request 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 Chris Wells, (608) 261-9135)

1. The hours of operation for the animal daycare facility are Monday through Sunday, 6:00 a.m. to 9:00 p.m.. Future modifications to the hours of operation may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.
2. The hours of operation for the outdoor play area are Monday through Friday, 6:30 a.m. to 6:00 p.m.. Future modifications to the hours of operation may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.
3. Staff shall limit the time the puppies need to be in the fenced-in area prior to 7:30 a.m.

Engineering Division (Mapping) (Contact Jeffrey Quamme, 266-4097)

4. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
5. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
6. The southeast corner of the lot is not square, but is filleted with a 15' radius. Correct this on the site plan and provide the correct exterior dimensions of the property.

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

7. 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 two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
8. 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.
9. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

10. The applicant shall ensure the 10 foot vision triangle are maintained vertical clearance between 30 inches and 10 feet at all entrances.

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4569)

11. Show the lot dimensions on the site plan.
12. Provide a calculation for lot coverage with the final submittal. The lot coverage maximum for the Industrial-General district is 75%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the site currently exceeds the lot coverage maximum of 75%, the proposed site improvements may not further increase the lot coverage.
13. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Provide an additional accessible stall for a total of two (2) accessible stalls. A minimum of one of the stalls must be van accessible.
14. Bicycle parking for the animal daycare shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of two (2) 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.
15. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
16. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
17. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Fire Department (Contact Bill Sullivan, 261-9658)

18. Contact City Engineering to establish/verify the proper address has been assigned.
19. MFD does not object to the project provided the construction complies with all Building & Fire Codes, and Madison General Ordinances.