



PLANNING DIVISION STAFF REPORT

January 8, 2018

PREPARED FOR THE PLAN COMMISSION

Project Address: 2025 S. Stoughton Road (District 16 - Ald. DeMarb)
Application Type: Conditional Use
Legistar File ID # [49540](#)
Prepared By: Sydney Prusak, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Edward Berna; Paradigm Gardens; 2025 S. Stoughton Road; Madison, WI 53716
Property Owner: Oakleaf Properties, Inc.; 4740 Pierceville Road; Cottage Grove, WI 53527

Requested Action: The applicant requests conditional use approval to establish a garden center in a multi-tenant commercial building in an IL (Industrial – Limited) zoning district at 2025 S. Stoughton Road.

Proposal Summary: The applicant proposes to establish a garden center within an existing multi-tenant building. No exterior building or site plan changes are proposed.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183], as *garden centers* are a conditional use in IL zoning. The Supplemental Regulations [MGO §28.151] contain further regulations for this use.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for a Conditional Use are met and **approve** the request to establish a garden center in a multi-tenant building in IL (Industrial - Limited) zoning at 2025 S. Stoughton 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 project site is located on the east side of S. Stoughton Road along the S. Stoughton Road Service Road near the Helgesen Drive intersection. It is in Aldermanic District 16 (Ald. DeMarb) as well as the Madison Metropolitan School District.

Existing Conditions and Land Use: The proposed garden center is in a roughly 5,000 square-foot space, within a 106,250 square-foot multi-tenant building. According to the City Assessor's Office, the total subject site is 261,074 square-feet (5.99 acres).

Surrounding Land Use and Zoning:

North: BouMatic Robotics, zoned Industrial Limited (IL) with SSM Health Pharmacy, zoned Suburban Employment (SE) beyond;

South: A variety of light industrial and commercial uses zoned IL and SE;

East: City of Madison stormwater utility green space zoned Conservancy District (CN); and

West: A variety of commercial uses along Stoughton Road, zoned Commercial Corridor – Transitional District (CC-T), with low density residential beyond.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) and the [Stoughton Road Revitalization Project Plan \(2008\)](#) (SRRPP) recommend industrial uses for the subject site.

Zoning Summary: The project site is currently zoned Industrial - Limited (IL).

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	261,074.36 sq. ft.
Lot Width	75'	320'
Front Yard Setback	None	Adequate
Side Yard Setback	Greater of 15' or 20% of building height	9.6' existing side yard setback
Rear Yard Setback	30'	Existing rear yard setback
Maximum Lot Coverage	75%	Existing lot coverage
Maximum Building Height	None	1 story existing building
Number Parking Stalls	No minimum required	117
Accessible Stalls	Yes	4
Loading	Not required	Existing loading areas
Number Bike Parking Stalls	General retail; office; service business: 1 per 2,000 sq. ft. floor area (2)	None (16)
Landscaping and Screening	Not required	Existing landscaping (17)
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building
Other Critical Zoning Items		
Yes:	Barrier Free (ILHR 69), Utility Easements	
No:	Urban Design District, Historic District, Floodplain, Adjacent to Park, Wetlands, Wellhead Protection District	

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. Metro Transit Routes 37 and 39 both run near the site.

Project Description

The applicant, Paradigm Gardens, proposes to establish a garden center in an existing multi-tenant commercial building. Per the Zoning Code, this is considered a conditional use in the IL (Industrial Limited) zoning district. According to the Zoning Code, a garden center is an establishment that includes indoor and outdoor retail sales of plants not grown on the site, lawn furniture, and garden supplies. In keeping with the supplemental regulations for garden centers in IL districts, bulk materials shall not be stored within the front yard setback and shall meet standards for outdoor storage and display. The applicant has not proposed any outdoor storage at this time.

The applicant proposes to operate from 11:00 am to 7:00 pm Monday through Friday, 10:00 am to 5:00 pm on Saturdays, and 11:00 am to 5:00 pm on Sundays. The entire building is approximately 106,250 square-feet, and the garden center will occupy a 5,000 square-foot unit. There are an assortment of uses in the existing building including Terminix, Kaman Industrial Technologies, and BRS Radiator Machine & Fabrication.

Project Analysis and Conclusion

This proposal is subject to the approval standards for conditional uses. In regards to the approval standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. The Planning Division believes the proposed use is consistent with the recommendations in the [Comprehensive Plan \(2006\)](#) and the [Stoughton Road Revitalization Project Plan \(2008\)](#) as discussed above.

According to Table 28F-1 in Section 28.082 of the Zoning Code, garden centers are a conditional use within the Industrial Limited (IL) zoning districts. Section 28.151 of the Zoning Code has the following supplemental requirements for Garden Centers in these districts: bulk materials shall not be stored within the front yard setback and shall meet standards for outdoor storage and display. The applicant is not proposing any outdoor storage at this time, and therefore this request meets the conditional use supplemental regulation.

Conditional Use Approval Standard #4 states that the Plan Commission must find "the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district." Given the lack of exterior changes and mix of surrounding land uses, staff believes that this standard is met and does not believe the proposed garden center would result in significant impacts to the surrounding properties.

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 §28.183(9)(d). At the time of report writing, staff was not aware of any neighborhood concerns on this request.

The Planning Division believes that the proposed garden center at 2025 S. Stoughton Road can meet the standards of approval for a conditional use.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the approval standards for a Conditional Use are met and **approve** the request for a garden center in a multi-tenant building in IL (Industrial – Limited) district zoning at 2025 S. Stoughton Road. This request is subject to the input at the public hearing and the conditions recommended by other reviewing agencies.

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

Engineering Division - Main Office (Contact Brenda Stanley, (608) 231-9127)

The agency reviewed this request and has recommended no conditions for approval.

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

1. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
2. The site plan shall include a full and complete legal description of the site or property being subjected to this application.

3. Submit a PDF floor plan to Lori Zenchenko (Lzenchenko@cityofmadison.com) of the entire building; so that the tenant space addressing plan can be verified. 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 Sean Malloy, (608) 266-5987)

4. If the applicant intends to have outdoor sales or display in or impacting the parking facility (drive isles, parking stalls, pedestrian walkways, bicycle facilities), the applicant shall note such accommodations on the plans. Alternatively, the applicant shall apply for a temporary use permit through City Zoning to make temporary alterations to the site plan to accommodate outdoor sales and/or display.
5. 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.
6. 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.
7. 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.
8. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
9. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
10. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
11. "Stop" signs shall be installed at a height of seven (7) feet at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
12. The applicant shall show dimensions for the proposed and existing parking stalls items S = 9 ft, L = 18 ft, E = 24 ft, F = 20 ft, 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.
13. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway

flares or curb cut.

14. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

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

15. Submit an Application for a Certificate of Occupancy to Zoning staff for review. A Certificate of Occupancy is required for the change of use for the proposed garden center.
16. Bicycle parking 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 of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
17. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it 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. Submit a detail of the trash enclosure if provided outside the building.
18. An outdoor display or storage area is not indicated on the site plan. Outdoor display or storage areas shall comply with the Supplemental Regulations Section 28.151 for Outdoor Display and Outdoor Storage.
19. 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.
20. 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 William Sullivan, (608) 261-4289)

21. Ensure storage and operations comply with requirements of the International Fire Code. Some arrangements may require additional protection such as a fire sprinkler system.

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

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

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

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

Parks/Forestry (Contact Janet Schmidt, (608) 261-9688)

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