

PLANNING DIVISION STAFF REPORT

July 2, 2018



PREPARED FOR THE PLAN COMMISSION

Project Address: 84 North Bryan Street (District 6 – Ald. Rummel)
Application Type: Conditional Use
Legistar File ID # [51766](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Josh Casey; Madison Circus Space; PO Box 70784; Madison, WI 53707
Contact: Jim Glueck; Glueck Architects; 116 N. Few St.; Madison, WI 53703
Property Owner: McCormick Company, LLC; 3156 Milwaukee St.; Madison, WI 53714

Requested Action: The applicant requests approval of a conditional use to convert an existing building into an arts/technical/trade school (circus arts training) in an Industrial-Limited (IL) zoning district at 84 North Bryan Street.

Proposal Summary: The applicant proposes to operate a circus arts training space (Madison Circus Space) in an existing multi-tenant building.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183], as Table 28F-1 in §28.082 of the Zoning Code indicates that arts/technical/trade schools are a conditional use within the Industrial-Limited (IL) District.

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for conditional uses are met and **approve** the request for an arts/trade/technical school in an IL district at **84 North Bryan Street**. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 2.39-acre subject property is located immediately northeast of the Wisconsin and Southern Railroad Crossing of Milwaukee Street. The tenant rental site in question is at the far northeast corner of the property near the corner of North Bryan Street and Powers Avenue. The site is within Aldermanic District 6 (Ald. Rummel) and the Madison Municipal School District.

Existing Conditions and Land Use: The subject site is zoned IL (Industrial-Limited) and includes three existing buildings, including a lumber and cabinetry retail shop, a lumber shed, and a multi-tenant shop and warehouse building, as well as two surface parking lots. The proposal is for the most northeasterly tenant space in the multi-tenant building.

Surrounding Land Use and Zoning:

North: Wisconsin and Southern Railroad, with St. Paul Avenue and a Town of Blooming Grove residential neighborhood beyond;

South: Across North Bryan Street, a combination of one- to four-unit residences zoned TR-V1 (Traditional Residential – Variable 1) District;

East: Across Powers Avenue, one- and two-unit residences, zoned TR-V1; and

West: Multi-building employment site zoned IL (Industrial-Limited) District, and Wisconsin and Southern Railroad, with St. Paul Avenue and a Town of Blooming Grove residential neighborhood beyond.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2006) recommends Low-Density Residential (LDR) uses for the subject site. The [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) (2002) does not have specific recommendations for this site.

Zoning Summary: The property is zoned IL (Industrial-Limited).

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	104,003 sq. ft.
Lot Width	75'	831'
Front Yard Setback	None	Existing front yard
Side Yard Setback	None if adjacent to property zoned IL or IG	Existing side yards
Rear Yard Setback	30'	Existing rear yard
Maximum Lot Coverage	75%	Existing lot coverage
Maximum Building Height	None	1 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	17
Accessible Stalls	Yes	1
Loading	None	2 (10' x 50') loading spaces
Number Bike Parking Stalls	School for arts, technical or trade: 1 space per 5 students (TBD)	2 (see Zoning Comment 2)
Landscaping	Not required	Existing landscaping
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building

Other Critical Zoning Items	Utility Easements, Barrier Free (ILHR 69)
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Tables 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 range of urban services.

Project Description, Analysis, and Conclusion

The applicant requests conditional use approval to operate Madison Circus Space, a circus arts training organization considered an arts/technical/trade school, in an Industrial-Limited (IL) zoning district at 84 North Bryan Street. This proposal is subject to the standards for Conditional Uses [MGO §28.183], as Table 28F-1 in

§28.082 of the Zoning Code indicates that arts/technical/trade schools are a conditional use within the Industrial-Limited (IL) District.

The applicant proposes to operate the Madison Circus Space within the northeast-most tenant space in the existing multi-tenant building located at 84 North Bryan Street. No external changes to the building are proposed. The only internal change proposed is the addition of a restroom.

On September 18, 2017, the Plan Commission approved a demolition permit and conditional use to redevelop 2048-2114 Winnebago Street, which includes Madison Circus Space's past and future location. Upon completion, expected in mid-2019, Madison Circus Space will return to a larger, purpose-built circus arts facility at 2082 Winnebago Street. Madison Circus Space intends to occupy the tenant space at 84 North Bryan Street until such time as they are able to move to their intended permanent location on Winnebago Street.

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, supplemental regulations, and finding that all of the conditional use standards of M.G.O. §28.183(6) are met.

In regards to Plan Consistency, an arts school use is not entirely consistent with the Comprehensive Plan's recommendations for the low-density residential district, which does not generally recommend commercial uses beyond "neighborhood-serving retail and service" and "small office." However, the applicant's use is proposed for an existing building that is already zoned IL within the LDR-designated area, contributing no exterior physical changes and only minor change in the type of commercial use within the building and the neighborhood. The proposal is within an existing industrial zoned area and is not a redevelopment or rezoning that would create any greater consistency with the Comprehensive Plan's recommendations. Rather, the proposed use is more compatible with the low-density residential recommendation and surrounding neighborhood than many permitted uses within the IL zoning district. Staff does not anticipate approval of this conditional use will impact the construction and occupancy of Madison Circus Space's previously approved redevelopment on Winnebago Street.

Upon careful consideration, Staff believes the proposal could be found to meet the conditional use standards, including standards 3, and 5. With regards to Standard 3 (impairment or diminishment of existing uses, values, and enjoyment of other property), the parcel is currently zoned IL and occupied by a multi-tenant warehouse and shop building. The activities of the Madison Circus Space within the tenant space are not anticipated to negatively impact the surrounding neighborhood uses. In regards to Standard 5 (Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided) the site has been developed for employment and warehousing uses. The use of the space as a circus school is not anticipated to create an undue burden on the associated infrastructure. A time of report writing, staff is unaware of any comments or concerns from the public.

Recommendation

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

If the Plan Commission can find that the approval standards for conditional uses are met, then the Planning Division recommends that the Plan Commission **approve** the request to build a surface parking lot exceeding the parking maximum at **84 North Bryan Street**. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

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

Zoning Administrator (Contact Jenny Kirchgatter, 266-4560)

1. Per the Supplemental Regulations Section 28.151 School, Arts, Technical or Trade, the applicant shall submit a Traffic Demand Management plan to be approved by the Traffic Engineer and to be kept on file with the Zoning Administrator.
2. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide the anticipated number of students to determine the bicycle parking requirement. Provide a minimum of one (1) short-term bicycle parking stall per five (5) students 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.
3. 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.

Engineering Division - Main Office (Contact Brenda Stanley, 261-9127)

4. Current plan shows less than 4,000 sf disturbed area. If plans are not revised, no Erosion Control or Storm Water Management Permits will be required.

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

5. There are not any new proposed exterior improvements. The site plan shall be updated to show the existing improvements and pavement and properly label them as such.