

PLANNING DIVISION STAFF REPORT

October 19, 2020



PREPARED FOR THE PLAN COMMISSION

Project Address: 1425 Gilson Street (District 13 – Ald. Evers)
Application Type: Conditional Use
Legistar File ID #: [62089](#)
Prepared By: Sydney Prusak, AICP Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Alexander Tecshler; Black Label Auto; 9022 Bentley Green; Verona, WI 53593
Property Owner: Tilsen Properties, LLC; 1421 Gilson Street; Madison, WI 53715

Requested Action: Approval of a conditional use to establish an auto repair facility (car detailing) in an existing commercial building in the Traditional Employment (TE) Zoning District at 1425 Gilson Street.

Proposal Summary: The applicant proposes to establish an auto repair facility exclusively for car detailing. No repair work or oil changes will occur at this facility. No exterior changes to the building are proposed.

Applicable Regulations & Standards: This proposal is subject to the Conditional Use Approval Standards [MGO §28.183]. 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 conditional uses are met and **approve** the request to establish an auto repair station in an existing commercial building in the Traditional Employment (TE) Zoning District at 1425 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 19,597-square-foot (0.22-acre) subject site is located on the east side of Gilson Street at the Pine Street intersection. It is within Aldermanic District 13 (Ald. Evers) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject parcel is developed with a single-story, 14,305 square-foot “L-shaped” warehouse building and surface parking lot. The applicant will occupy the southern 9,148 square-foot tenant space.

Surrounding Land Use and Zoning:

North: A variety of commercial and warehouse uses, zoned Traditional Employment (TE);
East: The Wisconsin and Southern Railroad line, with warehouse uses beyond, zoned TE;
South: A variety of commercial and warehouse uses, zoned TE; and

West: Single-family residences zoned Traditional Residential – Consistent 4 (TR-C4).

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends Low-Medium Residential (LMR) for the subject site. The [Bay Creek Neighborhood Plan \(1991\)](#) recommends Community Commercial uses.

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

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	19,597 sq. ft.
Lot Width	50'	103'
Front Yard Setback	None	None
Side Yard Setback: Other cases	None unless needed for access	None
Rear Yard Setback	Lesser of 20% lot depth or 20'	Existing rear yard
Maximum Lot Coverage	85%	Existing lot coverage
Minimum Building Height	22' measured to building cornice	1 story existing building
Maximum Building Height	5 stories/68'	1 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required	8
Accessible Stalls	Yes	None (7)
Loading	Not required	None
Number Bike Parking Stalls	Auto repair station: 1 per 5 employees (2 minimum)	None (8)
Landscaping and Screening	Not required	None (9)
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building
Other Critical Zoning Items	Barrier Free (ILHR 69); Utility Easements	

Tables Prepared by Jenny Kirchgater, 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

The applicant proposes to establish an auto repair tenant (car detailing) in an existing commercial building. According to MGO §28.211, an auto repair station is defined as, "A shop or business where the following services may occur: general motor vehicle repair engine rebuilding or reconditioning of motor vehicles; and minor collision service." While the proposed business will be exclusive to car detailing, including window tinting, reconditioning, vinyl wrapping, and ceramic coating, the Zoning Administrator has determined that this request falls under the Zoning Code's definition for auto repair.

As proposed, the detailing work will occur inside the southern 9,148 square-foot tenant space, which will include a small office and reception area. In keeping with the Supplemental Regulations in MGO §28.151, all auto servicing shall occur within an enclosed building. The applicant is proposing eight surface parking stalls and at least five interior parking spaces to ensure that there is not an overflow of vehicles parked on the street and adjacent neighborhood.

The proposed hours of operation are 8:00 a.m. to 5:00 p.m. Monday through Friday. Due to the pandemic, all detailing services will be by appointment only. No exterior changes to the building are proposed.

Project Analysis and Conclusion

This proposal is subject to the Conditional Use Approval Standards [MGO §28.183]. The Supplemental Regulations [MGO §28.151] contain additional requirements for auto repair. 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.

In giving due consideration to the adopted plans, the City's [Comprehensive Plan \(2018\)](#) recommends Low-Medium Residential (LMR) land use for the subject site. However, the Planning Division does not believe that utilizing a tenant space in an existing commercial building for a detailing use as outlined in this application will present significant conflicts with nearby residential uses and is not expected to preclude future redevelopments that are more consistent with the goals of the [Comprehensive Plan](#). Staff notes that the recommended future land use was carefully evaluated in the creation of the 2018 Comprehensive Plan, though older plans, including the [Bay Creek Neighborhood Plan \(1991\)](#), called for Community Commercial uses for the subject site, which includes medical services, business services, and retail establishments, that serve a large portion of the city's residents with a wide range of goods and services.

The Planning Division believes that the Conditional Use Approval Standards can be found met with this proposal. Given that the applicant is utilizing space in an existing commercial building, staff does not believe that this proposal will inhibit the future development, disrupt the normal and orderly development of the neighborhood, or provide conflicts with surrounding uses.

Auto repair stations are also subject to the Supplemental Regulations pursuant to MGO §28.151. A copy of the Supplemental Regulations is included in the Plan Commission materials. Generally, the Supplemental Regulations restrict auto repair to activities to occur within an enclosed building, specify operating hours, and reference specific activities and equipment that are allowed outside. The Supplemental Regulations also state that the temporary storage of vehicles during repair and pending delivery to customers are allowed outside if located within the rear yard and building envelope and at least fifty (50) feet from a residential zoning district. Utilizing the City's Geographic Information System (GIS) database, staff found that the closest residential zoning district is approximately 65 feet away, across Gilson Street. Furthermore, the Zoning Administrator confirmed that the surface parking lot is within the building envelope, so temporary storage in that area is allowed.

Public Input

At the time of report writing, staff received comment from the Bay Creek Neighborhood Association Planning and Economic Development Chair. That comment is included in the Plan Commission materials.

Conclusion

The Planning Division believes that the request for auto repair (car detailing) on the property at 1425 Gilson Street can be found to meet the Conditional Use Approval Standards and recommends that it be approved by the Plan Commission. 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).

Recommendation

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

The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Uses are met and **approve** the request to establish an auto repair station in an existing commercial building in the Traditional Employment (TE) Zoning District at 1425 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

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

1. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.
2. 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.
3. 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.
4. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
5. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign 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.

Zoning (Contact Jenny Kirchgatter, (608) 266-4429)

6. The proposed auto repair station shall comply with the Supplemental Regulations Section 28.151 for Automobile Repair Station. Supplemental regulations include the following:
 - a. All automobile servicing and repair activities shall be carried on within an enclosed building.
 - b. No automobile servicing and repair activities may take place between the hours of 7:00 p.m. and 7:00 a.m. unless all of the building's windows and doors are closed.

- c. The following activities and equipment are allowed outside if located within the rear yard and building envelope, and at least fifty (50) feet from a residential zoning district: storage of vehicle parts and refuse, temporary storage of vehicles during repair and pending delivery to the customer, vacuuming and cleaning.
7. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible parking stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stall.
8. Bicycle parking for the auto repair station 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 pervious 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.
9. 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.
10. 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.
11. 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.

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

12. Identify on the site plans the lot and block numbers of recorded Certified Survey Map or Plat.
13. As per the application checklist, the site plan shall be a scaled drawing including all lot/ownership lines, existing building locations, proposed building additions, parking stalls, driveways and sidewalks.
14. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.

Forestry (Contact Bradley Hofmann, (608) 266-4816)

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| <ol style="list-style-type: none">15. Damaging Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set. |
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16. Excavation As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
17. Protection On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
18. Pruning Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.
19. Soil Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
20. Street All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
21. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.