



PLANNING DIVISION STAFF REPORT

July 30, 2018

PREPARED FOR THE PLAN COMMISSION

Project Address: 8210 Watts Road (District 9 – Ald. Skidmore)
Application Type: Planned Development Zoning Map Amendment
Legistar File ID # [52208](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Heather Stouder, AICP, Planning Division Director

Summary

Applicant & Property Owner: Fred Rouse; Rouse Management Company; 2428 Perry Street; Madison, WI 53713

Contact: Greg Held; Knothe & Bruce Architects, LLC; 7601 University Avenue; Middleton, WI 53562

Requested Action: The applicant requests approval of an alteration to an Amended Planned Development – Special Implementation Plan (PD-SIP) to add a winery tenant, along with an associated outdoor eating area, in an existing commercial building at 8210 Watts Road.

Proposal Summary: The applicant proposes to add a cider producer and tasting room (considered a winery by the Zoning Administrator) within an existing commercial building. The request also includes an outdoor eating area with capacity of 25 persons. Beyond the interior remodeling, no site changes, and only minor exterior changes to the building, are proposed.

Applicable Regulations & Standards: In order for the requested alterations to be considered as major alterations (and therefore approvable by the Plan Commission), they must be consistent with the concept approved by the Common Council [MGO §28.098(6)(b)]. Accordingly, the request is subject to the approval standards for Planned Developments [MGO §28.098]. The project was reviewed by the UDC Secretary on behalf of the Commission, as allowed under MGO §33.24(g)(2).

Review Required By: Urban Design Commission and Plan Commission.

Summary Recommendation: The Planning Division recommends that the Plan Commission **approve** an alteration to an Amended Planned Development – Specific Implementation Plan (PD-SIP) to add a winery tenant, along with an associated outdoor eating area, in an existing commercial building at 8210 Watts Road. This recommendation is subject to input at the public hearing and conditions recommended by reviewing agencies.

Background Information

Parcel Location: The roughly 69,720-square-foot (1.6-acre) subject site is located at 8210 Watts Road, on the east side of the intersection of Watts Road and Plaza Drive. It falls within Aldermanic District 9 (Ald. Skidmore); Wellhead Protection District #10; and the Middleton/Cross Plains School District.

Existing Conditions and Land Use: The site is partially developed with a one-story, roughly 24,215-square-foot building, which, according to City Assessor records, was originally constructed in 2003. It currently houses a small grocery store, Brennan’s Cellars. A 92-stall surface parking lot, for use by the subject building’s customers, flanks the building’s northerly and easterly sides. It is zoned PD (Planned Development District).

Surrounding Land Uses:

North: Two mixed-use buildings, one with 22 units above ground floor commercial space and the other with 30 units above ground floor commercial space. Both are zoned PD (Planned Development District);

West: Across Plaza Drive is a grocery store, zoned PD;

South: Across Watts Road is the City of Madison Hillpoint Park, zoned CN (Conservancy District); and

East: A mixed-use building with office space above retail, beyond which is a restaurant. Both are zoned PD.

Adopted Land Use Plans: The [Comprehensive Plan \(2006\)](#) recommends General Commercial (GC) development for the subject property.

Zoning Summary: The property is zoned PD (Planned Development District).

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plans.	As per submitted plans.
Lot Area (sq. ft.)	As per approved plans.	As per submitted plans.
Lot Width	As per approved plans.	As per submitted plans.
Front Yard Setback	As per approved plans.	As per submitted plans.
Side Yard Setback	As per approved plans.	As per submitted plans.
Rear Yard Setback	As per approved plans.	As per submitted plans.
Maximum Lot Coverage	As per approved plans.	As per submitted plans.
Floor Area Ratio	As per approved plans.	As per submitted plans.
Building Height	As per approved plans.	As per submitted plans.

Site Design	Required	Proposed
Number Parking Stalls	As per approved plans.	Existing parking as per submitted plans <i>(See Comment #9)</i>
Accessible Stalls	Yes	Existing accessible stalls as per submitted plans <i>(See Comment #9)</i>
Loading	As per approved plans.	Existing loading stalls as per submitted plans <i>(See Comment #9)</i>
Number Bike Parking Stalls	Tasting room: 5% of capacity of persons (5) Winery: 1 per 5 employees (TBD)	Existing bicycle stalls <i>(See Comment #10)</i>
Landscaping and Screening	Not required	Existing landscaping <i>(See Comment #13)</i>
Lighting	Not required	Existing lighting
Building Forms	As per approved plans	Existing building as per submitted plans

Other Critical Zoning Items	Wellhead Protection (District #10)
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Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by full range of urban services. Weekday all-day as well as weekend Metro bus service is located roughly 400 feet to the east at the intersection of Watts Road and Commerce Drive.

Previous Approvals

The Common Council, at its June 3, 2003 meeting, conditionally approved a request application for rezoning from Planned Unit Development – General Development Plan (PUD-GDP) [1966 Zoning Code] to Amended PUD(GDP-SIP) for property located at 8210 Watts Road. The program for Phase 1 of the Cortland Commons development included a 22,000-square-foot grocery store (Brennan's Country Farm Market) as well as 92 surface automobile parking stalls.

On May 7, 1996, the City Council conditionally approved a request to rezone approximately 43 acres of land located at 501 CTH M, from Agriculture (A) District to Planned Unit Development – General Development Plan (PUD-GDP) [1966 Zoning Code] for both residential and non-residential uses. The City Council also conditionally approved the preliminary/final plat of "Commerce Square" for property located at 501 CTH M.

Project Description

The applicant requests approval of an alteration to an Amended Planned Development – Special Implementation Plan (PD-SIP) to add a winery tenant, along with an associated outdoor eating area, in an existing commercial building at 8210 Watts Road. This request also includes revising the zoning text for the Planned Development's underlying General Development Plan (PD-GDP) to allow cider fermentation and wine making as well as outdoor eating areas as permitted land uses on Lot 1. This proposal is subject to the approval standards for Planned Developments [MGO §28.098]. It was reviewed by the UDC Secretary on behalf of the Commission, as allowed under MGO §33.24(g)(2).

As part of this request, the applicant proposes to add a hard cider producer and tasting room, Cider Farm, along with an associated outdoor eating area, in an existing commercial building at 8210 Watts Road. The proposed use is considered a winery by the Zoning Administrator. As part of this proposal, roughly 3,200 square feet of floor area at the northeast corner of the 24,220-square-foot building will be partitioned off to create the new tenant space. Cider Farm's tenant space includes approximately 1,430 square feet for cider production and storage, roughly 880 square feet for a tasting room, and approximately 500 square feet located within an existing three-season greenhouse for a flexible seating area (the latter two spaces have a total, combined capacity of 99 persons). The proposal also includes a seasonal outdoor eating area to occupy roughly 375 square feet of space beneath the existing, covered breezeway, which runs along the northerly side of the building. It would have a capacity of 25 persons (note: the final details of the seating plan and capacity to be approved by the Building Inspection Unit). Regarding the hours of operation, the applicant is requesting the daily hours of operation of 11:00 am – 11:00 pm.

As noted by the applicant in the submitted materials, exterior changes to the building will be minimal and will consist of relocating the existing north building entrance to the northeast corner to allow access to both businesses from the north parking lot. A swinging exit door with glass sidelights will take the place of the former north entrance. All proposed changes have been bubbled in the drawing set included in the Plan Commission's packet of materials.

Analysis and Conclusion

This request is subject to the Planned Development standards [Section 28.098(2)] of the Zoning Code. The analysis below begins with a summary of the adopted plan recommendations as the specific approval standards reference these documents.

Conformance with Adopted Plans

The Planning Division believes the request is generally consistent with adopted plan recommendations. The [Comprehensive Plan \(2006\)](#) recommends General Commercial (GC) development for the subject property. The [Comprehensive Plan](#) describes General Commercial Districts as providing a wide range of goods and services, including certain business and professional offices that are appropriately located throughout the city, but the districts are not generally expected to include residential uses. Regarding recommended development intensity, the [Comprehensive Plan](#), which provides no fixed limits on the size of an establishment or development intensity, recommends all uses to be compatible with the density and scale of surrounding development, and points to applicable neighborhood or special area plans for more detailed guidance.

Planned Development Standards

Planned Developments are intended to facilitate the development of land in an integrated and innovative fashion, to allow for flexibility in site design, and to encourage development that is sensitive to environmental, cultural and economic considerations. Specific design objectives include promoting green building technologies, integrated land uses, preservation and enhancement of environmental features, preservation of historic buildings, enhanced open space, and the facilitation of high-quality development consistent with adopted plans. See Zoning Code Section 28.098(1) for further information.

The entire Commerce Square development was approved as a Planned Unit Development in 1997, and all properties were subsequently rezoned to the Planned Development (PD) District as part of the 2013 Zoning Code Rewrite. This request is considered a major amendment to the Specific Implementation Plan (SIP) and as such, the Planned Development standards must be applied to this zoning map amendment request.

The Planning Division believes 1) that the approval standards for Planned Developments, per Section 28.098(2), can be found met for this proposal and 2) the proposed Major Alteration to the Amended Planned Development – Specific Implementation Plan (PD-SIP) can be found consistent with the concept approved by the Common Council in 2003 (i.e. a commercial retail/grocery store), and may therefore be approved by the Plan Commission (per Section 28.098(6)). This is due to the fact that Staff believe the proposed design changes to the building are entirely consistent with the surrounding development pattern, particularly given the minimal scope of the exterior changes, the continuation of the use of the entire building for food-related commercial/retail purposes, and the negligible, if any, impact on parking.

While the Planning Division is mindful of the fact that there are residential units located in the two mixed-use buildings to the northeast of the subject building, Staff do not believe the proposed outdoor eating area will result in significant negative impacts to these or other surrounding properties. Factors such as the proposed hours of operation; the lack of outdoor, amplified sound; the overhanging roof; and the fact that the closest residential unit is over 160 feet away, will help mitigate anticipated impacts. To that end, Staff recommend such limitations as the hours of operation; and the prohibition of outdoor, amplified sound; and capacity of the outdoor eating area be included in the Planned Development Zoning Text.

Urban Design Commission

The Secretary of the Urban Design Commission reviewed this request administratively on behalf of the Urban Design Commission.

Public Input

At the time of report writing, staff has not received any comments on the proposed request.

Conclusion

The applicant is requesting an alteration to the Amended Planned Development – Specific Implementation Plan (PD-SIP) to add a cider producer and tasting room (considered a winery by the Zoning Administrator), along with an associated, outdoor eating area, in an existing commercial building with at 8210 Watts Road.

The Planning Division believes that the standards for Planned Developments can be found met with this proposal. Staff also believe the proposal is compatible with the Comprehensive Plan's recommendation of General Commercial (GC) development. Beyond the interior remodeling, no site changes, and only minor exterior changes to the building, are proposed. Staff believe the proposed design changes to the building are entirely consistent with the surrounding development pattern, particularly given the minimal scope of the exterior changes, the continuation of the use of the entire building for food-related commercial/retail purposes, and the negligible, if any, impact on parking. For these reasons, the Planning Division also believes the proposed Major Alteration to the Amended Planned Development – Specific Implementation Plan (PD-SIP) could be found consistent with the concept approved by the Common Council in 2003 (i.e. a commercial retail/grocery store), and may therefore be approved by the Plan Commission.

Recommendation

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

The Planning Division recommends that the Plan Commission **approve** an alteration to an Amended Planned Development – Specific Implementation Plan (PD-SIP) to add a winery tenant, along with an associated outdoor eating area, in an existing commercial building at 8210 Watts Road. This recommendation is subject to input at the public hearing and conditions recommended by reviewing agencies.

Major/Non-Standard Conditions are Shaded

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

1. Include the proposed hours of operation (daily from 11:00 am to 11:00 pm); the prohibition of outdoor, amplified sound; and the capacity of the outdoor eating area in the Planned Development Zoning Text.

Engineering Division – Main Office (Contact Timothy Troester, (608) 267-1995)

2. 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 Jeffrey Quamme, (608) 266-4097)

3. The address of the Cider Farm is 8216 Watts Rd. 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.

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

4. 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.
5. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
6. 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.
7. 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.

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

8. Work with Zoning and Planning staff to update the Zoning text.
9. Identify and label existing site features on the site plan including the accessible stalls, bicycle stalls, loading stalls and trash enclosure.
10. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of one (1) bicycle stall per five (5) employees for the winery production area plus a minimum amount of bicycle parking equal to 5% of capacity of persons for the tasting room and outdoor eating area. 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. Identify and label existing bicycle stalls that will be used to meet this requirement or provide additional bicycle parking. 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 existing or proposed bike rack.
11. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4559 to help facilitate this process.

12. Verify whether new or additional rooftop mechanical equipment is proposed. If rooftop mechanical equipment is proposed, submit a rooftop plan showing the location of the proposed equipment and screening. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).
13. 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.
14. 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, (608) 261-9658)

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

Parks/Forestry Review (Contact Sarah Lerner, (608) 261-4281)

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

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

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

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

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