

Establishing Policy Guidelines for Alterations to Capitol Square Area Planters for the intent of Creating New Sidewalk Cafes

12-7-17 Interagency Staff Recommendation

Step #1: Establish Policy Guidelines in a Council Resolution. (Referrals: VOC, DCC, BPW)

- A Council resolution will establish policy guidelines for moving forward with any proposals.
- See draft policy guidelines below.

Step #2: Developers Agreement with Property Owner

- City Engineering, with input from property owner, Parks Mall Maintenance, and Planning will create design that meets the design criteria in policy resolution. This is process identical to other development proposals that require alterations/reconstruction of the right-of-way.
- Property owner to hold a public meeting for public input, with design revisions as necessary
- Property owner hires contractor to implement design. City inspects construction as needed.
- After construction is complete, City takes ownership of all changes to the right-of-way.

Step #3: Annual Sidewalk Café Permit Required

- Business /Property owner to file for an annual sidewalk café permit, subject to normal oversight by Street Vending Coordinator and Madison General Ordinance 13(9)

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Draft Policy Guidelines for Resolution:

1. Planter areas should be public space: Direct Staff to phase out existing encroachment agreements and leases used for the purposes of sidewalk cafes as they expire, or businesses/property owners change to the new model being established.
2. Establish procedure to create a Developers Agreement Process (through Engineering) for proposed changes to the public right-of-way for the purpose of creating new sidewalk cafes.
 - Developer's Agreement is a mechanism for property owner to pay for changes.
 - The newly configured planting and café areas to be designed by City Engineering with input from Property Owner, Parks Mall Maintenance, Planning, Engineering.
3. Establish Design Guidelines for alterations to include but not be limited to the following:
 - No more than 50% of the planting area may be removed.
 - No permanent structures, except for plantings and standard 1 ft. planter curb.
 - New level concrete surface could be scored as to delineate the area that could be used for a sidewalk café, and should be at sidewalk grade to accommodate ADA accessibility.
 - See attached example of a redesigned planter.
4. Establish location guidelines that would limit potential locations for alterations. Only the existing trapezoidal planting areas on the radial streets would be allowed for consideration – as they are currently not irrigated. Alterations to granite planters around the square would not be allowed.
 - The following locations would be eligible: ULI (W Main), Canteen (S Carroll), Inn on the Park (S Carroll), Block 89 (S Pinckney), Collectivo (E Main), YWCA (E Mifflin)
 - The following corners already have altered planter designs that should eventually come into compliance if used for a café: Hamilton's on the Square (café), Topsy Cow (café), Genna's Lounge (café), Rotary Plaza (wall and planter), Children's Museum (stage)

Example of Potential Alteration:

Existing Planter:



Redesigned Planter:

