



Report to the Plan Commission

March 22, 2010

Legistar I.D. #17826
7424 Mineral Point Road
Conditional Use

Report Prepared By:
Timothy M. Parks, Planner
Planning Division

Requested Action: Approval of a conditional use to allow an outdoor eating area for a restaurant/ bakery located at 7424 Mineral Point Road.

Applicable Regulations & Standards: Section 28.09 (3)(d) identifies outdoor eating areas for restaurants as a conditional use in the C2 General Commercial District. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** a conditional use for an outdoor eating area for a restaurant/ bakery at 7424 Mineral Point Road, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

Background Information

Applicant & Property Owner: Flad Development & Investment Corp./ Cambridge Court, LP; 7941 Tree Lane, Suite 105; Madison; Tom Romano, representative.

Proposal: The applicant is currently leasing 2,844 square feet of space to LaBaguette Bakery in the existing single-story, 23,859 square-foot Cambridge Court multi-tenant retail center. The restaurant and bakery wishes to establish an outdoor eating area with 7 tables and 14 seats on the private walkway in front of their store beginning in April 2010.

Existing Conditions: Cambridge Court is an eight-tenant retail center with 23,859 square-feet of floor area and 124 surface parking stalls zoned C2 (General Commercial District). Other tenants in the retail center include O'Grady's Pub, Family Christian Store, and Rejuvenation Spa. The subject site is part of a permitted use planned commercial site that includes a Pizza Hut restaurant located on a separate parcel adjacent to Randolph Drive and a US Bank drive-up ATM located on a separate parcel located along the Mineral Point Road frontage. All three parcels share access and surface parking.

Parcel Location: The eight-tenant Cambridge Court retail building occupies a 2.4-acre parcel generally located at the northeastern corner of Randolph Drive and Mineral Point Road; Aldermanic District 9; Madison Metropolitan School District.

Land Use and Zoning Surrounding Proposed Building:

North: Sunset Memory Gardens, zoned A (Agriculture District);

South: Multi-tenant retail buildings, zoned PUD-SIP; Shopko and West Towne Mall, zoned C3L (Commercial Service & Distribution District);

West: PDQ gas station and various office buildings, zoned C2 (General Commercial District);

East: Sunset Memory Gardens.

Adopted Land Use Plan: The Comprehensive Plan identifies the subject site for general commercial uses.

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

Public Utilities and Services: This property is served by a full range of urban services.

Zoning Summary: Existing C2 (General Commercial District) zoning:

| Requirements | Required | Proposed |
|--|--|---|
| Lot Area | 6,000 sq. ft. | 105,655 sq. ft./ 2.4 acres |
| Lot Width | 50' | 267' existing |
| Front Yard | 0' | Adequate |
| Side Yards | 0' | Adequate |
| Rear Yard | 10' | Adequate |
| Floor Area Ratio | 3.0 maximum | Less than 1.0 |
| Building Height | N/A | 1 story |
| No. of Parking Stalls | 58 restaurant 30% of cap. 66 retail stores = 124 total | 119 existing (5 stall parking reduction was granted May 2008) |
| Accessible Stalls | 5 | 5 |
| Loading | Existing | Existing |
| No. Bike Parking Stalls | 12 | Existing |
| Other Critical Zoning Items | | |
| Yes: | Barrier Free | |
| No: | Utility Easements, Floodplain, Urban Design, Wellhead Protection; Landmark; Adjacent to Park | |
| <i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i> | | |

Project Review, Analysis & Conclusion

The property owner, Flad Development & Investment Corp., is requesting approval of a conditional use for an outdoor eating area to serve one of its tenants, LaBaguette Bakery, which occupies 2,844 square feet of space in the existing single-story, 23,859 square-foot Cambridge Court multi-tenant retail center located at 7404-7436 Mineral Point Road (LaBaguette occupies 7424 Mineral Point). The retail center occupies a 2.4 acre site located at the northeastern corner of Mineral Point Road and Randolph Drive in C2 commercial zoning and includes 8 tenant spaces located in two buildings and surface parking for approximately 124 vehicles located along the southern and western walls of the complex. The Cambridge Court multi-tenant retail center is also part of a permitted use planned commercial site that includes a Pizza Hut restaurant located on a separate parcel adjacent to Randolph Drive and a US Bank drive-up ATM located on a separate parcel located along the Mineral Point Road frontage. All three parcels share access and surface parking.

The outdoor eating area will occupy a portion of the space between the southern facades of the two Cambridge Court buildings just west of the bakery entrance in the eastern building. Seven tables and seating for 14 is proposed. Hours of operation of the eating area will be 7:00 AM to 6:00 PM concurrent with the hours of the bakery. The application does not specify whether outdoor amplified sound is proposed.

The proposed LaBaguette Bakery outdoor eating area will be located along a walkway extending along the southerly, front façade of the retail center facing Mineral Point Road and the commercial uses located to the south of the subject site. Cambridge Court is located amidst a number of predominantly auto-oriented land uses to the south and west, including West Towne Mall, Shopko and a number of other retail and office facilities. The land to the north and east of the site is occupied by Sunset Memory Gardens cemetery. The nearest residential building is located approximately 700 feet to the northwest of the bakery entrance across Randolph Drive. The Planning Division believes this outdoor eating area will not have an adverse impact on surrounding uses given the commercial uses present and concludes that the conditional use standards can be substantially met. The eating area has also been sited so as to not impede pedestrian flow along the southern wall of the retail buildings.

Staff Recommendations, Conditions of Approval & General Ordinance Requirements

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for an outdoor eating area for a restaurant/ bakery located at 7424 Mineral Point Road, subject to input at the public hearing and the conditions from reviewing agencies:

City Engineering Division (Contact Janet Dailey, 261-9688)

This agency submitted a response with no conditions of approval for this request.

Traffic Engineering Division (Contact John Leach, 267-8755)

1. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Zoning Administrator (Contact Pat Anderson, 266-5978)

2. The site plan on file was recently revised, and no additional landscaping or other site changes will be required, however, an updated plan showing the outdoor eating area must be submitted for approval.
3. Meet applicable Building and Fire codes for the additional outdoor capacity and for ingress and egress of the outdoor eating areas on the site. Occupancy is established by the Building Inspection Division. Please contact Alan Harper at 266-4558 for additional information.
4. If outdoor lighting is provided, it must comply with City of Madison outdoor lighting standards, it must comply with MGO Section 10.085.
5. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.

Fire Department (Contact Scott Strassburg, 261-9843)

6. Per the IFC chapter 10 and MGO34:
 - a.) the applicant shall submit approved capacity with the site plan and post the capacity of the outside dining area in accordance International Fire Code 2009 edition;
 - b.) the proposed deck, patio or fenced in area shall not be located at, adjacent or obstruct the required exits from the building;
 - c.) provide and maintain exits from the deck, patio or fenced in area in accordance with the International Fire Code 2009 edition;
 - d.) submit a site plan showing any/all seating, bar, tent, dumpster, structures and fixtures for the proposed deck, patio or fenced in area space.

Parks Division (Contact Tom Maglio, 266-4711)

This agency did not submit comments for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

This agency submitted a response with no conditions of approval for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.

Police Department (Contact Frank Chandler, 266-4238)

This agency did not submit comments for this request.