



PREPARED FOR THE PLAN COMMISSION

Project Address: 725 Forward Drive (19th Aldermanic District, Ald. Clear)
Application Type: Conditional Use
Legistar File ID # [44178](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant Stu Taylor; Madison Ice Arena; 725 Forward Drive; Madison, WI 53711
Property Owner: Madison Ice Arena; 725 Forward Drive; Madison, WI 53711

Requested Action: The applicant requests approval of a conditional use for a temporary use for an outdoor recreational facility (ice rink) in the parking lot of an ice arena in Urban Design District #2.

Proposal Summary: The applicant seeks approval of a conditional use to construct and operate a temporary outdoor recreation facility (i.e. an ice rink) in the existing parking lot of an ice arena. From a zoning standpoint, this is considered a *temporary outdoor event*.

Applicable Regulations & Standards: For *Temporary Outdoor Events*, the Supplemental Regulations [MGO §28.151] state that any event lasting for more than forty-five (45) days requires conditional use approval. Therefore, this proposal is subject to the standards for Conditional Uses [MGO §28.183].

Review Required By: Plan Commission (The Secretary of the Urban Design Commission reviewed this request administratively on behalf of the Urban Design Commission).

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the request for a temporary use for an outdoor recreational facility (ice rink) in the parking lot of an ice arena on a property zoned SE (Suburban Employment) at 725 Forward Drive. This request is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 176,920-square-foot (4.06-acre) project site is located approximately halfway along Forward Drive, on the eastern side. The site is in Aldermanic District 19 (Ald. Clear), Urban Design District #2, and is within the Madison Metropolitan School District.

Existing Conditions and Land Use: The site includes an existing roughly 53,000-square-foot indoor skating facility, Madison Ice Arena. The building, originally constructed in 1974, sits at the rear of the site with a large parking lot (containing approximately 140 parking stalls) between it and Forward Drive. About six months ago, the parking lot was resurfaced, tree islands were constructed, and the parking stalls striped.

Surrounding Land Use and Zoning:

North: A personal self-storage facility, beyond which are the West Madison Little League baseball fields, all zoned SE (Suburban Employment);

South: Three parcels – containing an office building and two personal self-storage facilities – are located immediately to the south, all zoned SE;

East: The USGS National Wildlife Health Center, zoned SE; and

West: Undeveloped parcels, all zoned SE.

Adopted Land Use Plan: The [Comprehensive Plan \(2006\)](#) recommends Employment for the subject parcel. The [Southwest Neighborhood Plan \(2008\)](#) does not have a specific recommendation for the subject parcel.

Zoning Summary: The project site is currently zoned Suburban Employment (SE).

Requirements	Required	Proposed
Lot Area (sq. ft.)	20,000 sq. ft.	176,545 sq. ft.
Lot Width	65'	289'
Front Yard Setback	None	Adequate
Side Yard Setback	15' or 20% building height	Adequate
Rear Yard Setback	30'	Existing setback
Maximum Lot Coverage	75%	Existing site lot coverage
Minimum Building Height	22' measured to building cornice	Existing building
Maximum Building Height	5 stories/ 68'	Existing building
Number Parking Stalls	None	139 existing stalls 105 stalls available while temporary ice rink is open
Accessible Stalls	Yes	8
Loading	None	1 (10' x 36')
Number Bike Parking Stalls	Indoor recreation: 5% of capacity of persons Outdoor recreation: determined by Zoning Administrator	16
Landscaping	No	Existing site landscaping
Lighting	Yes	Yes
Building Forms	No	Existing building
Other Critical Zoning Items	Urban Design (UDD #2); Barrier Free (ILHR 69)	

Table 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 full range of urban services, including seven day-a-week Metro service along Schroeder Road.

Project Description, Analysis and Conclusion

The applicant seeks approval to construct a temporary outdoor recreation facility (an ice rink) in the existing parking lot of the Madison Ice Arena. This will be considered a *temporary outdoor event* and, since it will be installed from December through March, it surpasses the conditional use trigger set by the supplemental regulations [MGO §28.151] which, for *temporary outdoor events* states that “any event that lasts for more than forty-five (45) days requires conditional use approval.” Therefore, this request is subject to the standards for Conditional Uses.

The applicant proposes to add a 7,200-square-foot, temporary ice rink in the existing parking lot in front of the building. The ice rink will be 60-feet x 120-feet and will occupy the majority of two rows of parking and the shared drive aisle located centrally in front of the building. When the rink is installed, the drive aisle will be blocked off with temporary orange barrels at each end. The applicant has stated that the rink will be used primarily for hockey practice and to a lesser degree, community skating. He said that it will unlikely be used for hockey games and even if that changes, no amplified systems (i.e. horns) would be used. In the application materials, the applicant states that the rink will be installed from December through March and the hours of operation requested are 9:00 am to 8:00 pm, Monday through Sunday.

The rink will be accessed from the arena via the striped crosswalk which passes along the north side of the outdoor rink and continues between the parking stalls out to Forward Drive. The adjacent parking spaces will be protected via tempered glass which will extend up from the rink's side boards. The applicant stated that they are also exploring adding netting around the perimeter of the rink, particularly at the ends of the rink. As part of the temporary facility installation, new temporary lighting will also be installed to augment the area's lighting currently provided by the two lights located in the parking islands to the east of the temporary rink which were recently updated. Two temporary lights will be located on the grass strip adjacent to Forward Drive and another will be placed in the middle of the blocked-off drive aisle to the west of the temporary rink.

During the four months the ice rink is installed, there will be a loss of 34 automobile parking spaces. The applicant has stated that the parking is rarely half-full during the week for the various practices and rarely a quarter-full on the weekends because the youth games typically involve less kids than the weekday practices. While parking is anticipated to be an issue approximately ten evenings per year when there is a high school hockey game at the facility involving two local teams, the applicant points out the availability of parking along Forward Drive as well as at surrounding businesses.

No structural or programmatic changes to the existing building are proposed.

Land Use and Plan Consistency – No changes of use are proposed. The Planning Division believes the proposed use is generally compatible with the [Comprehensive Plan \(2006\)](#) which recommends Employment for the subject parcel.

Conditional Use Standards – 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 §28.183(6) MGO are met. The Planning Division believes that if the temporary outdoor recreational facility is well-managed, this proposal should not result in significant impacts to the surrounding properties. Factors such as the limited hours of operation; the dark-sky-compliant lighting; prohibition of amplified sounds associated with the outdoor rink; and the other proposed conditions of approval will help mitigate anticipated impacts. 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).

Staff believes that the proposed temporary outdoor recreational facility meets the conditional use approval standards and recommends that it be approved by the Plan Commission.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Use are met and **approve** the request for a temporary use for an outdoor recreational facility (ice rink) in the parking lot of an ice arena on a property zoned SE (Suburban Employment) at 725 Forward Drive. This request is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

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

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

1. The hours of operation for the temporary outdoor event will be 9:00 am to 8:00 pm, Monday through Sunday. Future modifications to the hours of operation of the outdoor eating area may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.
2. There shall be no amplified sound, including, but not limited to horns associated with hockey games, to be associated with the use of the outdoor ice rink.

Traffic Engineering (Contact Eric Halvorson, (608) 266-6527)

3. 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.
4. 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.
5. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

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

6. A Temporary Use Permit is required prior to each temporary outdoor event (temporary outdoor ice rink).
7. It appears that the site may not be in compliance with the approved site plan dated 10/19/07. 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 plan by June 1, 2017, as established by the Zoning Administrator.

Madison Fire Department (Contact Bill Sullivan, (608) 261-9658)

8. The existing fire lanes shall be maintained clear at all times.