



Report to the Plan Commission

March 19, 2012

Legistar ID: #25619
916 Williamson Street
Conditional Use

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: The applicant requests approval of two conditional uses: 1) Allow construction and operation of an outdoor eating area and 2) Allow a bakery with more than eight employees and selling at other than retail.

Applicable Regulations & Standards: 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 are met and **approve** the proposed conditional uses at 916 Williamson 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

Applicant: David Lohrentz; Rising Dough, Inc, dba Madison Sourdough; 916 Williamson Street; Madison, WI 53703

Agent / Contact: Stevie Koepp; Ken Saiki Design; 303 South Paterson Street; Madison, WI 53703

Property Owner: Chuck Chvala; 44 East Mifflin Street; #802; Madison, WI 53703

Proposal: The applicant first proposed to construct and operate an outdoor eating area for the Madison Sourdough bakery. That request has been expanded based on the recommendation of the Zoning Administrator. After review of the submitted materials, the Zoning Administrator learned that the bakery business had grown beyond the original permitted use approval for a bakery employing less than eight (8) employees. It was determined that the growing business is now a "Bakery with more than eight (8) employees or selling at other than retail." Such a use is a conditional use in C2 (General Commercial District) zoning.

Parcel Location: The subject site is approximately ½-acre in area on the north side of Williamson Street, midblock between Paterson and Brearly Streets. The site is located in Aldermanic District 6; Madison Metropolitan School District; and the Third Lake Ridge Historic District.

Existing Conditions: The site includes a one-story, multi-tenant building occupied by Madison Sourdough and the Midwest Clay Project.

Surrounding Land Use and Zoning:

North: Office buildings; zoned C2 (General Commercial District);

South: Small mixed-use buildings, single-family residences, and two-family residences across Williamson Street; zoned C2 (General Commercial District);

West: Mixed-use Building; zoned C2 (General Commercial District); and

East: One-story commercial building (Plan B bar), zoned C2 Commercial.

Adopted Land Use Plan: The Comprehensive Plan recommends community mixed use for this site. This general area is also recommended for transit-oriented developments.

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.

Zoning Summary: The property is zoned C2 (General Commercial District). Comments from the Zoning Administrator are included in the attached report.

Project Review, Analysis, and Conclusion

The applicant, Madison Sourdough, requests approval of two conditional uses. This request is subject to the conditional use approval standards of the Zoning Code.

The subject property is roughly ½ acre in area, situated on Williamson Street midblock between Paterson and Brearly Streets. The subject building is setback nearly 30 from the street. Approved plans identify this area as a small concrete parking area.

The first conditional use request is the approval of an outdoor eating area. The outdoor eating area would be placed in a new patio, replacing much of the existing front parking lot. The attached plans show that there will be eight tables with a total of 30 seats. The tables and chairs are movable and the applicant has committed to stacking the tables and chairs adjacent to the building or moving them inside, nightly. This is in response to a neighborhood concern that the patio could be used by next door bar patrons, creating late night noise conflicts. The typical hours of operation for the patio are from 6:30 am until 5:00 pm Monday through Saturday and 8:00 pm through 5:00 pm on Sundays. The letter of intent also indicates that the applicant plans to hold evening events several times per month. In response to concerns from the neighborhood, the applicant has committed to closing the area at 10:00 pm during such events.

Several site improvements are planned in conjunction with the outdoor eating area. The existing concrete parking lot will be replaced with a combination of permeable concrete pavers and flagstones. Raised planters provide further separation between the eating areas and the sidewalk. A small loading zone is shown at the far western side of the property, leading to an existing overhead door. Staff also note that the property is within the Third Lake Ridge Historic District. This City's Preservation Planner indicated a formal certificate of appropriateness for the proposed site improvements is not required. She reviewed the plans and indicated she had no objections.

There are two proposed site plans included in this application. The "seasonal" site plan (when the tables are in use) includes two double-sided bike racks (with 11 total stalls) near the sidewalk edge and two (2) enlarged bike spaces for bikes with trailers located adjacent to the building. The non-seasonal plan (when tables aren't in use) calls for the expansion of the proposed loading zone near the sidewalk. To facilitate, bike parking is altered with the relocation of a six-stall bike rack towards the building and the addition of a two-stall rack. Other than the removal of the tables and the aforementioned bike parking changes, the plans appear to be identical. Please see the Zoning Administrator's attached comments regarding the seasonal plans and changes to the driveway opening.

The second conditional use request is to address the expanded business operations. Madison Sourdough was originally provided a certificate of occupancy as a permitted-use bakery with less than eight (8) employees. After review of the submitted materials, the Zoning Administrator learned that the business had grown beyond the original permitted use approval. Zoning now considers the business a

“Bakery with more than eight (8) employees or selling at other than retail.” Such a use requires conditional use approval in C2 (General Commercial District) zoning.

Please see the attached comments from the Zoning Administrator and Traffic Engineer. The Zoning Administrator indicates that the proposed loading zone does not meet the Zoning Code’s dimensional requirements. However, as proposed, the area could be considered a driveway and used for the loading and unloading purposes. Planning Division staff understand that the driveway opening may need to be narrowed or other barriers installed to comply with applicable ordinances. Staff recommend that if any barrier is approved, that the details be provided for staff approval along with the other sign-off materials. Other “major-non-standard” concerns in the Zoning Administrator’s report relate to an existing sign that is in violation of City Ordinance.

Staff believe that the conditional use standards can be met for both requests. In regards to the outdoor eating area, the applicant has worked closely with the Marquette Neighborhood Association Board. The Board unanimously voted to support the plans for the patio with the commitments noted above. Staff have formally added these as conditions of approval and do not recommend further restrictions at this time. Staff believe the resulting patio should result in a significant aesthetic improvement.

In regards to the conditional use for the expanded bakery, staff also believe the conditional use standards can be met. The Zoning Code states that this specific conditional use meets the following:

- That adequate off-street parking and loading exists on the site.
- That the hours of operation shall be established after consideration of the occupants of adjacent properties.

Planning Division staff understands the business has grown and has been unintentionally operating beyond the scope of its original approval as a permitted-use bakery. Staff is not aware of any complaints or concerns, including any related to parking, loading, or operating hours, that have been raised as a result. From the information provided, staff believe that the proposed driveway has been providing for adequate loading and unloading. In regards to parking, the reconfigured plans will require approval of an administrative-level parking reduction to remove the three (3) existing parking stalls that will be replaced by the outdoor eating area. The bakery begins production at 1:00 am which goes until 6:00 pm. At the time of writing, staff is not aware of concerns from adjacent properties which include a bar and a mixed-use building with hair salon. Staff note that there are additional commercially-zoned residential and mixed-use buildings across the street.

If approved, staff note that all conditional uses remain under the continuing jurisdiction of the Plan Commission, and therefore, should parking problems arise or conditions of approval fail to be met, this item could return to the Plan Commission for further consideration.

Recommendation and Proposed Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** the proposed conditional uses at 916 Williamson Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

1. That the hours of operation for the outdoor eating area are from 6:30 am until 5:00 pm, Monday through Friday and from 8:00 until 5:00 pm on Sunday. For special evening events as discussed in the letter of intent, including themed dinners, gallery night, and fund-raising events, the outdoor eating area shall close by 10:00 pm.
2. That nightly, at the close of the outdoor area, the tables and chairs are brought indoors or stacked and stored a manner to discourage use and trespassing.
3. That if any driveway barrier is approved, its design shall be approved by Planning Division staff.

The following conditions have been submitted by reviewing agencies:

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

4. Applicant shall add a moveable fence in the seasonal condition between the sidewalk located behind the driveway and the bike racks.

Traffic Engineering Division (Contact Bryan Walker, 267-8754)

5. The developer shall install a temporary 4' high barrier behind the property line between the sidewalk and bike rack. The bike rack shall be located 3' back from the barrier to allow for an aisle for bicycles to access the south side of the rack and be noted on the plan before final approval.

Zoning Administrator (Contact Matt Tucker, 266-4569)

Please see the comments in the attached report.

Fire Department (Contact Scott Strassburg, 261-9843)

6. Maintain required exit widths to the public way.
7. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
8. Update site plans to reflect actual conditions.

Water Utility (Contact Dennis Cawley, 261-9243)

9. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.

Parks Division (Contact Kay Rutledge 266-4717)

This agency did not submit a response to this request.