



Report to the Plan Commission

August 9, 2010

Legistar I.D. #19443
15 North Broom Street
Alteration to an Approved PUD(SIP)

Report Prepared By:
Heather Stouder, AICP
Planning Division Staff

Requested Action: Approval of an alteration to allow for an outdoor eating area at 15 North Broom Street in the PUD(SIP) (Planned Unit Development – Specific Implementation Plan) District.

Applicable Regulations & Standards: Section 28.07(6)(g)5 provides the guidelines and regulations for the approval of alterations to specific implementation plans.

Summary Recommendation: The Planning Division recommends that the Plan Commission finds the project can meet applicable standards and **approve** the proposed request for an alteration to allow for an outdoor eating area 15 North Broom Street, subject to input provided at the public hearing and conditions from reviewing agencies.

Requested Alteration and Evaluation

Metropolitan Place Apartments is a five-story mixed-use building located on North Broom Street, just northwest of West Washington Avenue. The building was constructed in 1964, and was incorporated into the Metropolitan Place Phase 1 PUD(SIP) in 2001. It currently has 83 apartment units above four ground-floor commercial spaces.

The applicant proposes the addition of a small 12' by 20' concrete patio as an outdoor eating area for a new restaurant tenant. As proposed, the patio would be placed in front of a tenant space facing North Broom Street, and would have space for six tables, each with four chairs. The railing surrounding the patio is shown on the site plan, but should be detailed in final plans submitted for staff review and approval. The outdoor eating area would close by 10:00 pm daily, minimizing any effects on residential neighbors on upper floors of the building.

An existing outdoor eating area larger in size serves another restaurant tenant in the same building, right at the corner of North Broom Street and West Washington Avenue.

Conclusion

The zoning code provides that no alteration of a PUD shall be permitted unless approved by the Plan Commission aside from Minor Alterations that can be approved administratively. If a change or addition represents a substantial alteration of the original plan, the change must be reviewed by the Urban Design Commission, Plan Commission, and approved by the Common Council

After review, the Planning Division believes that the proposed alteration is in line with the PUD(SIP) as it was originally approved, and recommends that the Plan Commission **approve** the request subject to input at the public hearing and comments and conditions from reviewing agencies.

Recommendations and Proposed Conditions of Approval

Major/Non-Standard Conditions are shaded

Planning Division Recommendation (Contact Heather Stouder, 266-5974)

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** the request subject to input at the public hearing and the following conditions:

Planning Division (Contact Heather Stouder, 266-5874)

1. The outdoor eating area shall close by 10:00pm daily.
2. No outdoor amplified sound shall be associated with the outdoor eating area.

The following conditions have been submitted by reviewing agencies:

Fire Department (Contact Bill Sullivan, 261-9658)

3. Applicant shall submit approved capacity with the site plan and post the capacity of the outside dining area in accordance with the International Fire Code 2009 edition.
4. Provide and maintain exits from the seating area in accordance with the International Fire Code 2009 edition.

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

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

Zoning Administrator (Contact Pat Anderson, 266-5978)

6. This agency did not submit a response for this request.

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

This agency did not submit a response for this request.

Water Utility (Contact Dennis Cawley, 261-9243)

This agency did not submit a response for this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.