

PLANNING UNIT REPORT  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
July 3, 2006

**CONDITIONAL USE APPLICATION:**

1. Requested Action: Approval to operate an outdoor eating area for an existing coffee shop located at 1225 Regent Street.
2. Applicable Regulations: Section 28.09 requires that outdoor eating areas of restaurants must obtain a conditional use permit.
3. Report Drafted By: Bill Roberts, Planner IV.

**GENERAL INFORMATION:**

1. Applicant: "Indie Coffee," Jennifer Kilmer, 1225 Regent Street, Madison, WI 53715.
2. Status of Applicant: Leaseholder.
3. Development Schedule: The applicant expects to have this outdoor area open as soon as all necessary land use approvals are obtained.
4. Parcel Location: South side of Regent Street between South Orchard Street and South Charter Street, Madison Metropolitan School District, 13<sup>th</sup> Aldermanic District.
5. Existing Zoning: C2 General Commercial District.
6. Existing Land Use: Coffee shop/restaurant.
7. Proposed Use: The applicant wishes to provide the outdoor eating area to the rear (south) and adjacent to the existing building.
8. Surrounding Land Use and Zoning: This site is surrounded by a mix of commercial uses, parking lots, etc. zoned C2 and C3 along Regent Street. The property directly adjacent to the rear is a mix of residential uses along Bowen Court zoned R4.
9. Adopted Land Use Plan: This site is recommended for "neighborhood mixed-uses" in the recently adopted City of Madison Comprehensive Plan.
10. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

**PUBLIC UTILITIES AND SERVICES:**

This property is served with the full range of urban services.

**STANDARDS FOR REVIEW:**

This application is subject to the conditional use standards.

**ANALYSIS, EVALUATION AND CONCLUSION:**

The applicant is seeking approval to operate a small outdoor eating area consisting of five tables directly to the rear of their existing building located at 1225 Regent Street. The area behind this existing parking lot is partially paved with asphalt and concrete. The applicant's letter of intent indicates that the hours of operation will be 7:00 a.m. to 10:00 p.m. daily.

The outdoor seating area is directly adjacent to a large residential neighborhood located south of an alley that bisects this lot. Given the limited nature of this proposal, staff expects that there would be minimal impacts on this adjacent neighborhood.

A six stall parking reduction is required.

**RECOMMENDATIONS:**

The Planning Unit recommends that the Plan Commission find that the conditional use standards are met and approve this application for an outdoor eating area subject to the comments from the reviewing departments and any input from the neighboring property owners.

In the event that this applicant or a future business operator would want to expand this outdoor seating area or add any outdoor live music or amplified music the applicant at that time will need to return to the Plan Commission as a major alteration to an existing conditional use.

**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** June 27, 2006

**To:** Plan Commission

**From:** Kathy Voeck, Assistant Zoning Administrator

**Subject:** 1225 Regent St

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**Present Zoning District:** C-2

**Proposed Use:** Outdoor eating area (20 persons) for existing Indie Coffee Restaurant

**Conditional Use:** 28.09(3)(d)32 Outdoor eating areas when accessory to another use are a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Meet applicable building codes for the additional outdoor capacity and for ingress and egress of the establishment with the fenced in area.
2. Obtain a 6 stall parking reduction for the additional 20 patrons and an additional 1 stall parking reduction for the summer months when the outside eating is using up the parking stall. Show a winter plan with the fence removed facing the alley and a summer plan with the fence and tables. On the winter plan, show an 8' x 18' accessible parking stall. Provide an 8' striped out area adjacent to the accessible stall. Show a sign at the head of the stall.
3. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
4. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot. Provide shielded lighting to not trespass beyond the property line. Contact Fred Rehbein at 267-8688 regarding lighting requirements.

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	6,000 sq. ft.	1,840 sq. ft. (existing)
Lot width	50'	21' (existing)
Usable open space	320 sq. ft.	0 s.f. (existing-nonconforming)
Front yard	existing	existing
Side yards	existing	existing
Rear yard	existing	existing
Floor area ratio	3.0	1.63
Building height	--	2 stories

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	7 existing restaurant 2 existing apartments <u>6 proposed outside dining</u> 15 total	8 grandfathered 0 summer, (1 winter) <u>8 variance required</u> 0 summer, 1 winter
Accessible stalls	0' summer, 1 winter	2
Loading	n/a	n/a
Number bike parking stalls	2	(3)
Landscaping	n/a	n/a
Lighting	No	(4)

<b>Other Critical Zoning Items</b>	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.



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## Traffic Engineering Division

David C. Dryer, City Traffic Engineer

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
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June 29, 2006

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer

SUBJECT: **1225 Regent Street – Conditional Use – Outdoor Eating / Indie Coffee**  
The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None
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### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

2. None

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: J. J. Kilmer

Fax:

Email: [jj@indiecoffee.net](mailto:jj@indiecoffee.net)

DCD: DJM; dm

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Department of Public Works  
**City Engineering Division**

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City Engineer

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**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
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Gregory T. Fries, P.E.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

DATE: June 15, 2006  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 1225 Regent Street Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The owner has contacted City Engineering regarding drainage complaints and flooding in this area. Nothing being proposed will resolve those issues and this area can be expected to flood during large events. Prior to approval, the applicant shall acknowledge their acceptance of this condition.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments: NONE

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