



PREPARED FOR THE PLAN COMMISSION

Project Address: 849 East Washington Avenue (6th Aldermanic District, Alder Rummel)
Application Type: Conditional Use
Legistar File ID #: [41147](#)
Prepared By: Christopher Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant/Contact: Lance A. McNaughton; Fool's Cap Brewing Company, LLC; 3621 Busse Street; Madison, WI 53714

Property Owner: 849 EWash, LLC; 849 E. Washington Ave.; Madison, WI, 53703

Requested Action: Approval of a conditional use for a brewpub and attached retail taproom in the Traditional Employment (TE) District.

Proposal Summary: The applicant proposes to lease space for a brewpub and attached retail taproom, with capacity for 99 people. Only minor interior changes and no exterior changes are proposed to the existing building.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 28.183).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request at 849 East Washington Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The property is on the southwest corner of East Washington Avenue and South Paterson Street; Traditional Employment (TE) District; Wellhead Protection District 24; Urban Design District 8; Tax Increment Finance District 36; Aldermanic District 6 (Rummel); Madison Metropolitan School District.

Existing Conditions and Land Use: The property has an existing one- to two-story multi-tenant office building.

Surrounding Land Use and Zoning:

North: Across East Washington Avenue to the north, the "Galaxie" mixed-use building currently under construction in the Traditional Employment (TE) District and Breese Stevens Field in the Parks and Recreation (PR) District.

East: Across South Paterson Street to the east, a vacant brick warehouse building in the TE District. (An early 2014 approval for renovation and an addition to this building has lapsed.)

South: On this block and across East Main Street to the south, Madison Water Utility property in the TE District.

West: Immediately adjacent is an office building and then three restaurants. Further west on this block is City-owned vacant land, planned for employment uses. All are in the TE District.

Adopted Land Use Plan: The Comprehensive Plan (2006) and East Washington Avenue Capitol Gateway Corridor Plan (2008) recommend Employment uses for this property.

Zoning Summary: The property is in the Traditional Employment (TE) District.

Site Design	Required	Proposed
Number Parking Stalls	15 (15% of 99 capacity)	29
Accessible Stalls	2 (1 van accessible)	1 van accessible
Loading	0	0
Number Bike Parking Stalls	5 (5% of 99 capacity)	4
Landscaping	No change	No change
Building Forms	No change	No change

Other Critical Zoning Items	
Urban Design	Yes UDD #8
Historic District	No
Floodplain	No
Adjacent to Park	No
Barrier Free (ILHR 69)	Yes
Utility Easements	No
Wetlands	No
Wellhead Protection District	Yes

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 many Metro Transit Routes on East Washington Avenue.

Related Reviews and Approvals

The applicant will need to appear before the Alcohol License Review Commission and then the Common Council to seek approval for an alcohol license.

Project Description

The applicant proposes to open a brewpub and attached retail taproom at 849 E. Washington Avenue in a building that currently houses a variety of commercial establishments, including art studios, professional services, salons, a meadery/tasting room, and no residential units. The roughly 2,500-square foot taproom will be located within Suite 118 which opens onto E. Washington Ave. While the space is finished, minor changes to the interior are still necessary and will include the installation of a bar and 384-square foot cold room, replacement of a small barrier wall surrounding the front entrance, and improvements to the two existing restrooms. Otherwise, work in this area will be more superficial or cosmetic.

The beer production, in 3.5-barrel (110 gallon) batches, will occupy approximately 1,400-square feet in the adjacent Suite 166. As the space is currently unfinished warehouse space, more work is needed. This will include raising the existing concrete floor in order to install the necessary water piping, drainage and connections to existing sewage lines. Dividing walls between the suites will also be modified in order to provide direct connections between the spaces and finally, overhead doors will be installed to facilitate the movement of bulk ingredients and finished beer.

No exterior changes are planned save the addition of eventual signage. This will require a separate application and approval process.

The applicant is requesting the hours of operation for the taproom be 4pm-11pm, Mondays-Wednesdays; 4pm-1am, Thursdays and Fridays; noon-1am, Saturdays; and noon-11pm, Sundays. This is subject to ALRC and Plan Commission approval. They have also specified that the brewing process will be limited to a two-hour window, three to four times per week.

Regarding accessibility, given the location along a major transit spine, it is likely that many patrons will arrive via METRO. Cyclists will be accommodated with additional bike racks added to the sidewalk along East Washington while motorists will be easily accommodated by the 26-space parking lot (almost twice the number required by code) located in the rear of the building. It should be noted that the building capacity limit of 99 was determined by the fact that the space does not have a sprinkler system. That said, this number seems to be commensurate with the actual size and layout of the proposed spaces.

Project Analysis and Conclusion

Land Use and Plan Consistency – This proposed use of a brewpub is consistent with plan recommendations for Employment uses in this area. The proposed brewpub and tasting room will directly support three full-time and one to two part-time employees, while also providing an after-work option for current and future employees in the Capitol East District.

Staff is comfortable with the requested capacity and hours of operation. As a point of reference, the Bos Meadery, which is located in the same building and was approved a year ago, has a tasting room with space for 50 people, and hours of operation from 5:00-9:00 on Thursdays and Fridays, and from 2:00-9:00 on Saturdays). While the applicant's proposed hours are later than that of the meadery, they are consistent with Barolo, a wine located a few doors down the block and is open until 1am, Monday through Sunday. With the surrounding land uses in mind, not to mention that the applicant has specified that stereo music will be kept at a low level, any live music would be acoustic and never amplified, and all spaces will be internal to the building (i.e. no patio/beer garden), staff does not foresee noise, traffic, or parking issues affiliated with the proposal having negative impacts on nearby properties. Staff suggests that an extension of the hours of operation could be requested as a minor alteration to the conditional use in the future, if applicable.

Conditional Use Standards – The Planning Division staff evaluation of the proposed project's ability to meet the standards for conditional use approval is summarized below.

As stated in MGO Section 28.183(6)(a), *"The City Plan Commission shall not approve a conditional use without due consideration of the recommendations in the City of Madison Comprehensive Plan and any applicable neighborhood, neighborhood development, or special area plan, including design guidelines as adopted as supplements to these plans. No application for a conditional use shall be granted by the Plan Commission unless it finds that all of the following conditions are present:*

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

Staff believes that this standard is met.

2. *The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.*

Staff believes that this standard is met.

3. *The uses, values, and enjoyment of other property in the neighborhood for purposes already established will not be substantially impaired or diminished in any foreseeable manner.*

Staff believes that this standard is met.

4. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

Staff believes that this standard is met.

5. *Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided.*

Staff believes that this standard can be met, so long as conditions of approval related to bicycle parking are sufficiently addressed.

6. *Measures, which may include transportation demand management (TDM) and participation in a transportation management association have been or will be taken to provide adequate ingress and egress, including all off-site improvements, so designed as to minimize traffic congestion and to ensure public safety and adequate traffic flow, both on-site and on the public streets.*

Staff believes that this standard is met.

7. *The conditional use conforms to all applicable regulations of the district in which it is located.*

Staff believes that this standard is met.

[Standards 8-15 do not apply to this request]

Conclusion- Staff believes that the proposed brewpub and taproom will be a good fit in this building and within the greater Capitol East District. All conditional use standards can be met with the proposal, and staff recommends that it be approved by the Plan Commission.

Recommendation

Planning Division Recommendation (Contact Christopher Wells, 261-9135)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request at 849 East Washington Avenue. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Recommended Conditions of Approval

Major/Non-Standard Conditions are Shaded

Planning Division (Contact Christopher Wells, 261-9135)

1. Hours of operation be limited to 4pm-11pm, Mondays-Wednesdays; 4pm-1am, Thursdays and Fridays; noon-1am, Saturdays; and noon-11pm, Sundays. If approved by the Alcohol License Review Committee and Plan Commission, an adjustment to the hours may be requested by the applicant in the future as a minor alteration of the conditional use.

Zoning Administrator (Contact Matt Tucker, 266-4569)

2. A parking lot of 26-50 stalls requires 2 accessible stalls, one of which is van accessible. Provide 1 additional accessible stall on final plans.
3. 5 bicycle parking stalls are required. Provide a detail of the bicycle parking facility on final plans.

Fire Department (Contact Bill Sullivan, 261-9658)

4. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Engineering Review Main Office (Contact Brenda Stanley, 261-9127)

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| <ol style="list-style-type: none">5. This project appears to have proposed uses which could require sanitary sewer demand charges or monitoring of the discharge of sanitary sewerage. The applicant shall install a monitoring manhole on the exterior of the building in compliance with City of Madison Engineering criteria. |
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Traffic Engineering Review (Contact Eric Halvorson, 266-6527)

6. 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.
7. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
8. 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.
9. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
10. Traffic Engineering will no longer be accepting paper plans; to ensure a timely review all submittals will include an electronic copy (.pdf preferred).
11. Include a parking plan demonstrating the orderly operation of food carts. Include anticipated number and frequency of carts to be on-site. Also include any signage / temporary pavement markings to be used to achieve this goal in the submitted plans.
12. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
13. The applicant shall include an onsite loading zone and demonstrate the use of the loading zone with a turning movement template.

Water Utility Review (Contact Dennis Cawley, 261-9243)

14. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21.
15. All unused private wells shall be abandoned in accordance with MGO 13.21.

City Eng. Review Mapping (Contact Jeffrey Quamme, 266-4097)

16. The site plan shall identify lot and block numbers of the Plat.
17. The site plan shall include all lot lines and lot dimensions. The site plan shall also show and label the portion of the lot acquired by the City of Madison for street right of way at the corner of E. Washington Ave. and S. Paterson St. per Document No. 3920530.

Metro Review (Contact Timothy Sobota, 261-4289)

The agency reviewed this request and has recommended no conditions or approval.