



Report to the Plan Commission

October 4, 2010

Legistar I.D. # 20069
660 West Washington Avenue
Alteration to an Approved PUD-SIP

Report Prepared By:
Kevin Firchow, AICP
Planning Division

Requested Action: Approval of a PUD-SIP (Planned Unit Development-Specific Implementation Plan) alteration to create an outdoor eating area for a restaurant.

Applicable Regulations & Standards: Section 28.07(6)(4)d provides the guidelines and regulations for the approval of alterations to specific implementation plans (SIPs).

Summary Recommendation: The Planning Division recommends that the Plan Commission finds the project can meet the applicable standards and **approve** the proposed request for an alteration to allow an outdoor eating area at 660 West Washington Avenue, subject to input provided at the public hearing and conditions from reviewing agencies.

Background Information

Applicant / Contact: David Kaul, The Alexander Company; 145 East Badger Rd; Madison, WI 53713

Property Owner: City Station Associates LP; 145 East Badger Rd; Madison, WI 53713

Proposal: The applicant proposes to create an outdoor eating area for a restaurant in a multi-tenant commercial development.

Parcel Location: The subject site is part of the “City Station” Development, located at the intersection of West Washington Avenue and Regent Street. The site is within the boundaries of Aldermanic District 4 and the Madison Metropolitan School District.

Existing Conditions: The area proposed for outdoor eating is within a larger landscaped plaza located between the building and the parking lot. This area will be reconfigured as shown on the attached plans.

Surrounding Land Use and Zoning: Office and commercial buildings, zoned PUD-SIP (Planned Unit Development – Specific Implementation Plan) and C3 (Highway Commercial District are located north and south of the subject site). The Bayview Townhouses are located across Regent Street from the subject property, with the closest units over 450 feet from the proposed outdoor eating area.

Adopted Land Use Plan: The Comprehensive Plan includes the subject property in the “City Station” Downtown sub-district and recommends a variety of uses including office, mixed use, and commercial development.

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 site is now zoned PUD-SIP (Planned Unit Development-Specific Implementation Plan). As such, there are no predetermined bulk requirements.

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	104,977sq. ft. existing
Lot width	50'	460.97'
Front yard	0'	Adequate
Side yards	0'	Adequate
Rear yard	10'	Adequate
Building height	---	1 story
Number parking stalls	As per approved SIP	Existing
Accessible stalls	As per approved SIP	Existing (See Comment #3)
Loading	As per approved SIP	n/a
Number bike parking stalls	As per approved SIP	(See Comment #4)
Landscaping	Yes	Yes (See Comment #9)
Lighting	Yes	No
Other Critical Zoning Items	Utility Easements, Barrier Free (ILHR 69)	

Table prepared by Patrick Anderson, Assistant Zoning Administrator

Project Review

The applicant requests approval of an alteration to a recorded PUD-SIP (Planned Unit Development-Specific Implementation Plan) to create an outdoor eating area. The eating area would serve a “Panera Bread” restaurant, a new tenant in the “City Station” multi-tenant commercial development at the intersection of West Washington Avenue and Regent Street.

The dining area will contain up to 10 tables with seating up to 40. The hours of operation will be from 6:00 am until 11:00 pm. The applicant indicates that no alcohol will be served.

The outdoor eating area is proposed within an existing plaza area that is located between the front of the building and the parking lot. A new raised planter wall, measuring just over two feet in height, would define the space and separate it from the walkway bisecting the plaza. Additional bike parking is also proposed within the plaza area. As an alteration to an SIP, the physical changes require review by either the Urban Design Commission (UDC) or the UDC Secretary. The applicant has reviewed the changes with the Secretary, who has determined that the modifications do not require UDC review considering they are relatively minor in scope. These plans can be approved administratively should the Plan Commission approve the alteration allowing the use. These plans are available for online viewing at the following site: http://www.cityofmadison.com/planning/projects/reports/660wwa_site.pdf

As a condition of approval, staff recommend that the applicant provide an updated PUD zoning text allowing “outdoor eating areas as shown on approved plans” as a permitted use.

Planning staff does not anticipate the outdoor eating area will provide any conflicts with nearby uses. The nearest residential units are found over 450 feet away on the opposite side of Regent Street. Finally, staff note the proposal is not in conflict with the Comprehensive Plan.

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 finds the project can meet the applicable standards and **approve** the proposed request for an alteration to allow an outdoor eating area at 660 West Washington Avenue, subject to input provided at the public hearing and conditions from reviewing agencies.

1. That the applicant submits an updated and revised PUD zoning text identifying “outdoor eating areas as shown on approved plans” as a permitted use, for approval by staff.

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

2. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) izenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

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

This agency submitted a report with no conditions of approval.

Zoning Administrator (Contact Pat Anderson, 266-5978)

3. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide the required accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8’ wide with an 8’ striped out area adjacent.
 - b. Show signage at the head of the stalls.
 - c. Show the accessible path from the stalls to the building.
4. Bike parking shall comply with City of Madison General Ordinances Section 28.11.
5. Provide adequate bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.

6. Meet applicable building/fire codes for the additional outdoor capacity and for ingress and egress of the establishment with the areas and uses for the site. Occupancy is established by the Building Inspection Unit. Contact Alan Harper at 266-4558 to help facilitate this process.
7. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations. Banner's, Pennant's, temporary signs, portable sign's etc. are not a part of this approval.
8. If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee has established conditions for operation for these applications that involve fencing, security guards, toilet facilities, litter, etc. All businesses that sell alcohol must comply with the requirements imposed by the Alcohol License Review Committee at the time of issuance of your original application to expand or change your licensed premises to include the outdoor eating area.
9. Landscaping plans must be revised to reflect the changes made to the landscaping as a result of the project.
10. Once approved by all reviewing agencies, the proposed outdoor eating area documentation must be recorded at the register of deeds as an alteration to the approved and recorded Specific Implementation Plan.

Fire Department (Contact Bill Sullivan, 261-9658)

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

Water Utility (Contact Dennis Cawley, 261-9243)

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

Parks Division (Contact Tom Maglio, 266-6518)

This agency did not submit a response to this request.

Metro Transit (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.