



PREPARED FOR THE PLAN COMMISSION

Project Address: 1222 Williamson Street (6th Aldermanic District, Ald. Rummel)
Application Type: Conditional Use
Legistar File ID #: [49915](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Planning Division

Summary

Applicant: Hanah Jon Taylor; Musonics, LLC; 1001 Rutledge Ct. #3; Madison, WI 53703
Contact: Peter Ostlind; 533 W. Main St. #302; Madison, WI 53703
Property Owner: Brandt Investments Group, LLC; 1218 Williamson St.; Madison, WI 53703

Requested Action: Approval of a conditional use to establish a nightclub in an existing multi-tenant commercial building in the Traditional Shopping Street (TSS) District at 1222 Williamson Street.

Proposal Summary: The applicant proposes to lease space for a 3,419 square foot jazz club in an existing multi-tenant commercial building at 1222 Williamson. Changes to the building will be internal.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183] as §28.082(1) of the Zoning Code lists nightclubs as a Conditional Use in the Traditional Shopping Street (TSS) district.

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 to establish a nightclub in an existing multi-tenant commercial building in the Traditional Shopping Street (TSS) District at 1222 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

Parcel Location: The 16,896-square-foot (0.39-acre) subject site is located on the west side of Williamson Street, between South Few Street and South Baldwin Street; within Aldermanic District 6 (Ald. Rummel), the Madison Municipal School District, and the Third Lake Ridge Local Historic District.

Existing Conditions and Land Use: The subject parcel contains a complex of five buildings with a 11,340 square foot footprint and total floor area of 17,940 square feet. According to Assessor's data, the building in question is the furthest southwest on the lot. It was built in 1914, remodeled in 1994, and is two stories, with two apartment units on the second floor. The other first floor rental spaces are occupied by retail and service establishments.

Surrounding Land Use and Zoning:

Northeast: Mix of retail, service, and office-use buildings, zoned Traditional Shopping Street (TSS) district;

Northwest: Apartment buildings, houses, and small shops, zoned NMX and TR-U1;

Southwest: Mixed of buildings with retail, service, office, and residential uses, zoned TSS; and

Southeast: Across Williamson Street, a City of Madison Fire Station and the Willy Street Co-op grocery store, both zone TSS.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2006) recommends Neighborhood Mixed Use for this location. The [Comprehensive Plan](#)'s description of Neighborhood Mixed Use districts notes that "while primarily intended to serve the adjacent neighborhoods, neighborhood mixed-use districts may also include specialty businesses serving wider markets, provided the size of establishment and scale of building is consistent with the character of the district and the surrounding neighborhood." The [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) identifies this location as a "Neighborhood Commercial Core" and encourages the development of businesses that are "compatible to the area, particularly those businesses that serve neighborhood residents."

Zoning Summary: The property is in the Traditional Shopping Street (TSS) Zoning District. It is also within the Third Lake Ridge Local Historic overlay district.

| Lot & Building Requirements | Required | Proposed |
|-----------------------------|---------------------------------------|---------------------------|
| Front Yard Setback | None | None |
| Side Yard Setback | None unless needed for access | Existing side yard |
| Rear Yard Setback | The lesser of 20% of lot depth or 20' | Existing rear yard |
| Maximum Lot Coverage | 85% | Existing lot coverage |
| Maximum Building Height | 3 stories/ 40' | 2 story existing building |

| Site Design Requirements | Required | Proposed |
|----------------------------|--|---|
| Number Parking Stalls | Proposed nightclub: 15% of capacity of persons (15) Existing restaurant-tavern: 15% of capacity of persons (15) (30 total) | 16 (see zoning comment #1) |
| Accessible Stalls | Yes | None (see zoning comment #3) |
| Loading | None | None |
| Number Bike Parking Stalls | Nightclub: 5% of capacity of persons (5) | None (see zoning comment #2) |
| Landscaping and Screening | Not required | Existing landscaping (see zoning comment #4) |
| Lighting | Not required | Existing lighting |
| Building Forms | Not required | Existing building |

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|------------------------------------|---|
| Other Critical Zoning Items | Third Lake Historic District, Barrier Free (ILHR 69), Utility Easements |
|------------------------------------|---|

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

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.

Project Description

The applicant, Hanah Jon Taylor of Musonics, LLC, proposes to open a nightclub at 1222 Williamson Street in a 3,419-square-foot tenant space of a multi-tenant mixed-use building. The tenant space will undergo an interior renovation to outfit the rental suite to meet the needs of a jazz club, which includes a stage, green room, listening area, bar, lounge, restrooms, and area for future food service. The club will primarily feature acoustic music not requiring electronic amplification. However, a small PA system will be available to performers when needed. The applicant is currently planning musical programming for Wednesday through Saturday nights and Sunday afternoons. All evening programming will end prior to midnight when the venue will close. The planned capacity for the venue is 99 persons, and the applicant is proposing the use of 16 existing on-site parking stalls, with an arrangement to lease 25-30 parking stalls one block away from St. Vincent DePaul. No additional bike parking is proposed, through four bike parking stalls are currently available in front of the building. There are no exterior changes proposed for the building.

The applicant has applied for and been granted an 18+ Center for Visual and Performing Arts License and Class B Combination Liquor and Beer License, which were reviewed at the ALRC on December 20, 2017 and granted with conditions at Common Council on January 2, 2018. The conditions are:

- 1) Maximum of two dance events per week with a maximum of one event held on Friday or Saturday night;
- 2) The club will close by midnight;
- 3) The decibel level in adjacent apartments will not exceed 60 decibels;
- 4) There will be a maximum capacity of 99 people; and
- 5) The club will continue to maintain a strong community engagement program in cultural arts and creative music, e.g. world music review, documentaries.

Signage information is not approved by the Plan Commission and this application does not include signage details or a request.

Analysis and Conclusion

The application is subject to Conditional Use standards as a nightclub, which this jazz club is defined as under the details provided in the application, requires Conditional Use approval in the Traditional Shopping Street (TSS) District.

Conditional Use Standards

The Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, and finding that all of the conditional use standards of MGO §28.183(6) are met. Regarding approval standards one and three, based on submitted information, management plan, and mix of uses, the Planning Division does not anticipate the club will be detrimental to or endanger the public health safety, or general welfare, nor will the uses, values, and enjoyment of other neighborhood property be substantially impaired or diminished. Second, provision of some off-street parking plus the arrangement with St. Vincent DePaul for weekend use of up to 30 parking spaces addresses the requirements of standards six and ten. According to the application materials, the Zoning Administrator has

indicated that a parking reduction of an additional 10 stalls could be approved. This is addressed in Zoning Condition #1 below. In regards to adopted plan recommendations, neighborhood mixed use, neighborhood-serving businesses, and specialty businesses are recommended for the site by the Comprehensive Plan and Marquette-Schenk-Atwood Neighborhood Plan. This proposal is consistent with the recommendations of the adopted plans. The Marquette Neighborhood Association has provided a letter supporting the application for the club with the conditions identified within the ALRC approval listed above. At the time of report writing, staff was not aware of any additional public comments on this item.

Staff believes that the Conditional Use standards are met, and staff recommends that it be approved by the Plan Commission. Factors such as the size of the establishment, the location within a mixed-use district, management plan, and the other proposed conditions of approval are anticipated to mitigate possible negative impacts. If approved, the Plan Commission retains continuing jurisdiction, meaning that should complaints arise the Commission could take further action, requiring additional conditions or possible revocation of the conditional use should it find the approval standards cannot be met.

Recommendation

Planning Division Recommendation (Contact Colin Punt, (608) 243-0455)

The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and **approve** the request to establish a nightclub in an existing multi-tenant commercial building in the Traditional Shopping Street (TSS) District at 1222 Williamson Street. 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

Zoning Administrator (Contact Jenny Kirchgatter, (608) 266-4429)

1. A vehicle parking reduction will be required per Section 28.141(5). A parking reduction of up to 20 spaces may be approved by the Zoning Administrator. Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.
2. A bicycle parking reduction will be required per Section 28.141(5). Submit a request for a bicycle parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required amount, type and number of bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future bicycle parking reductions may be required prior to obtaining zoning approval for future tenant uses.
3. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required van accessible stall. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls.
4. Show the trash enclosure area on the site plan. All developments, except single family and two family

developments, shall provide a refuse disposal area. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure.

5. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
6. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

City Engineering Division - Mapping (Contact Jeffrey Quamme, (608) 266-4097)

7. Show and label the Pedestrian and Vehicular Access Easement from Wilson Street to the rear of this site. The easement is as set forth on Certified Survey Map No 7891, Doc No. 2689054.
8. Correct the Document No. 1729203 to 1729209 for the 8' Joint Driveway Easement shown along the southwesterly side of this site.
9. Add text referencing Document No's 812729 and 815298 for the 10' right of way behind Lot 13. Also add Doc No. 815298 to the note for the 4' right of way along the northeasterly side of this site.
10. Attach a copy of the Paulson an Associates survey completed on November 30, 2015 to the plan set.

Traffic Engineering Division (Contact Sean Molloy, (608) 266-5987)

11. 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.

Fire Department (Contact William Sullivan, (608) 261-9658)

12. The proposed Assembly Occupancy shall be separated with fire rated construction in order to establish separated uses unless an automatic fire sprinkler system is installed throughout the areas undergoing a change of use or undergoing a Level II alteration

13. In order to preserve the unique character, economic stability, and community charm established by Willy Street Neighborhood and its collective buildings, MFD recommends the installation of a fire sprinkler system.

Parks/Forestry (Contact Sarah Lerner, (608) 261-4281)

14. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

15. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.