

**Legistar I.D. #18688****102 North Randall Avenue****Demolition Permit and Conditional Use Alteration**

Report Prepared By:

Kevin Firchow, AICP

Planning Division

Prior to the scheduled June 7, 2010 public hearing, the applicant requested referral of this item to prepare revisions to the proposed plan set. The revised plans are included with this addendum. Please see the June 7 materials for the original staff report and other information related to the demolition request provided by the applicant. This information can also be viewed online from the following link: <http://legistar.cityofmadison.com/detailreport/?key=20712>

The proposed modifications include the following:

1. **Location of Decorative Fence Shifted:** The decorative fence has been moved from the "sidewalk" side to the "interior" side of the perimeter planting beds. This should protect the planting areas during beer garden events without the need of secondary fencing or other borders, as previously recommended. "Jogs" in the fence are proposed along areas where the planting beds increase in width.
2. **Changes to Planting Bed Widths:** Portions of the proposed planting beds lining Monroe Street and Randall Avenue have been narrowed to about three (3) feet. The applicant indicates that this is necessary to safely accommodate sand volleyball operations. The planting beds widen away from the courts, closer to the Monroe and Randall intersection. Staff inquired as to whether all of the courts could be shifted three (or more) feet to the south to maintain a wider planting bed. The applicant responded that this was problematic as it would limit access to the outdoor recreation area exit that exists between courts "2" and "3." As a clarification, the applicant has labeled the extent of where sand will be placed on the revised volleyball plans.

Staff recommend that the final plans clearly delineate the extent of the planting areas. In addition, staff believe that along North Randall Avenue, the wider (7-foot) planting area should be extended to include the "middle" honey locust tree and three burning bushes to ensure that there is adequate planting room. These details should be provided for staff approval.

3. **Revised Plantings:** The revised landscape plan includes the addition of three (3) honey locust trees along the North Randall Avenue frontage, introducing some additional height among the lower plantings. The planting plan is otherwise similar to what was originally proposed.
4. **Fence and Planter Detail:** The plans indicate that in areas adjacent to the sand, the decorative fence sits atop a split-face concrete masonry unit (CMU) base that is one (1) foot, eight (8) inches in height. Staff recommend that the applicant specifies the color of the CMU base for staff approval. The applicant has indicated that the planters located behind the sign are also in raised planting beds. These details shall be provided on the final plans provided for staff approval.
5. **Additional Detail Added on Plans:** As recommended in the June 7 staff report, the applicant has provided additional labeling on the beer garden and other site plans.

Staff believe that the revised plans meet the applicable conditional use and demolition standards. As noted in the original staff report, it is unusual to support the demolition of a building for the purpose of expanding a parking lot, though on balance, the demolition of this particular one-story commercial building and the installation of the proposed improvements should result in an aesthetic improvement over the current condition. Additionally, the improvements appear to allow for improved function of the beer garden while not increasing its capacity.

The most significant proposed changes relate to landscaping. The relocation of the decorative fence should better protect the plantings during beer garden events, addressing a concern raised in the original staff report. While staff prefer the contiguous wider planting beds as originally proposed, the applicant states that narrowing portions of the beds is necessary for the functionality and safety of the volleyball operations. Staff have recommended the applicant provide additional clarifications related to the landscape area. Those and other revised conditions of approval are noted below.

### **Recommendations and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded

#### **Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the project meets the applicable demolition and conditional use standards and **approve** both the request for the demolition of the commercial building at 102 North Randall Avenue and the request for a conditional use alteration for the amended site plans to allow the proposed future use (an expanded outdoor recreation area, beer garden, and parking lot for the Stadium Bar.) This recommendation is subject to the recommended conditions and the input provided at the public hearing.

1. That approval of this demolition permit and conditional use alteration does not increase the permitted capacity or change the operating terms of the beer garden or other conditional use approvals.
2. The previously approved conditions in the March 24, 2009 approval letter shall still apply. Note that the new ornamental fence depicted in the current plan set would replace the ornamental fence described in condition 28, which has not been built.
3. That all improvements shown on the approved plans shall be implemented prior to the first UW home football game in 2010.
4. That the final landscape / site plans clearly delineate the extent of the planting areas. Along North Randall Avenue, the wider planting area shall be extended to the area where the "middle" honey locust tree and burning bushes are proposed to ensure there is adequate planting room. This information shall be provided for staff approval.
5. That the fence section drawing verifies that there is at least three (3) feet of landscape (planting) area between the sidewalk and base of the split-face CMU. This appears to be consistent with the submitted plans, though that particular dimension is not labeled. Note that the dimensions of the planting areas shall be consistent with the approved plans.
6. That further design detail is provided on the elevated planting area behind the sign, including materials and height, for approval by Planning Division staff.

7. That the applicant provides fencing details for staff approval that clearly indicate the proposed materials and design. This information should specify the color of the split-face CMU and masonry. Fencing details shall also be provided for the temporary fence shown on the volleyball plans.
8. That the applicant provides details on the proposed textured pavement for staff approval.
9. That the applicant provides details on the proposed speakers and light fixture and for staff approval.

***The following conditions have been submitted by reviewing agencies:***

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

10. Any damage to the Monroe Street or North Randall Avenue pavement will require restoration in accordance with the City's Patching Criteria.
11. This site has a history of washouts from a sand pit volleyball in summer. Details shall be provided on control plans for erosion and drainage as this time of year.
12. Inlet filter detail referenced is not provided.
13. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
14. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle) off of new paved surfaces.
17. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
18. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.), e) right-of-way lines (public and private), f) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words "unplatted", h)

lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

19. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
20. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
21. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

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

22. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
23. The driveway approach shall be so designed so as not to violate the City's 10 ft sight triangle requirement on both sides of the approach shall have no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 24 inches and 10 feet above the curb level or its equivalent within the triangle space. The applicant shall revise site plans accordingly.
24. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
25. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

26. 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. Note - Capacity for the beer garden is 2,416 persons.
27. Beer garden site plan shall be in effect as outlined in 1998 uniform operating conditions letter.
28. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances.
29. If outdoor lighting is provided, it must comply with City of Madison outdoor lighting standards.
30. 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.

**Fire Department** (Contact Scott Strassburg, 261-9843)

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| <ol style="list-style-type: none"><li>31. When the tent is up, the capacity for the area occupied by the tent, tent stakes and tent support ropes shall be based upon 7 sq ft per person.</li><li>32. Capacity in open areas without encumbrances may be based upon 5 sq ft per person.</li><li>33. Total capacity shall not exceed 2,416 persons or as limited by the available exit width.</li><li>34. When operating under the Football Plan, capacity shall be maintained by having (1) patron entrance for counting patrons in, and another location for patrons leaving the site being counted out.</li></ol> |
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35. The property owner is responsible for compliance with the International Fire Code.
  36. The property owner is responsible to incorporate the outdoor beer garden into the existing fire safety and maintain it in accordance with the International Fire Code.
  37. Staff must be trained and capable of effectively and efficiently evacuating the area in an emergency.
  38. Exit and exit width shall be maintained at all times.
  39. Outdoor area must be operated and maintained in accordance with approvals.
  40. Capacities of indoor and outdoor areas shall not exceed the approved limits.
  41. Post capacity sign and directions. Capacity is set at 2,416.

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

42. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is in a Wellhead Protection District. This proposed use is permitted in this district. Any proposed change of use shall be reviewed by the Water Utility General Manager for compliance with the Wellhead Protection Ordinance. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

**Parks Division** (Contact Tom Maglio, 266-6518)

This agency did not submit a response to these requests.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response to these requests.