

PLANNING DIVISION STAFF REPORT

August 12, 2019



PREPARED FOR THE PLAN COMMISSION

Project Address: 2817 East Washington Avenue (District 6 - Ald. Rummel)
Application Type: Conditional Use
Legistar File ID # [56545](#)
Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Christine Ameigh; Christine's Kitchens; 2817 E. Washington Ave.; Madison, WI 53704

Contact/Owner: Grant Roeming; Executive Management, Inc.; 2701 International Lane; Madison, WI 53704

Requested Action: The applicant requests approval of a conditional use to allow limited production and processing at a food sales business at a property zoned CC-T (Commercial Corridor - Transitional District) per M.G.O. §28.067(2), within Urban Design District #5 at 2817 East Washington Avenue.

Proposal Summary: The applicant proposes to expand a shared food preparation and production kitchen for local food businesses at 2817 East Washington Avenue.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [M.G.O. §28.183] as M.G.O. §28.067(2) lists *limited production and processing* at a food and related goods sales business as conditional uses in the Commercial Corridor - Transitional (CC-T) District. The Supplemental Regulations [M.G.O. §28.151] contain further regulations for these uses.

Review Required By: UDC (Administrative - Secretary's review), Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Uses are met and **approve** the request to allow limited production and processing at a food sales business at a property zoned CC-T (Commercial Corridor - Transitional District) at 2817 East Washington Avenue. These requests are subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The subject site is located within the Madison East Shopping Center on the south side of East Washington Avenue between Union Street and Oak Street. The site is within both Aldermanic District 6 (Ald. Rummel), the Madison Metropolitan School District, and Urban Design District #5.

Existing Conditions and Land Use: The 3.9-acre subject parcel is zoned CC-T and contains two multi-tenant commercial buildings. The building and storefronts face East Washington Avenue to the northwest. A shared parking lot is located between the building and East Washington Avenue. An off-site parking lot is located to the south, across Hermina Street.

Surrounding Land Use and Zoning:

- North:** McDonalds fast food restaurant, zoned Commercial Corridor – Transitional (CC-T) district; across East Washington Avenue, small commercial buildings zoned CC-T;
- East:** Walgreens drug store zoned CC-T and one- and two-unit residential buildings zoned Traditional Residential – Consistent 4 (TR-C4) district;
- South:** Madison East Shopping Center off-site parking lot and one- and two-unit residential buildings beyond, all zoned TR-C4; and
- West:** Madison East Shopping Center and Burger King fast food restaurant, both zoned CC-T.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) recommends Community Mixed Use for this property. The [Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan](#) (2000) did not include specific recommendations for this property. The [East Washington Avenue BUILD Plan](#) (2000) and [East Washington Avenue Gateway Revitalization Plan](#) (2003) illustrate how future redevelopment would be organized by pedestrian-oriented streets and block pattern with parking to the side and behind commercial buildings.

Zoning Summary: The project site is currently zoned Commercial Corridor - Transitional (CC-T).

Requirements	Required	Proposed
Front Yard Setback	None	Adequate
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	5 stories/ 68'	Existing one story building

Site Design	Required	Proposed
Number Parking Stalls	Not required	Existing parking lot
Accessible Stalls	Yes	Existing accessible stalls
Loading	Yes	Existing loading areas
Number Bike Parking Stalls	Limited production and processing: 1 per 5 employees (4)	None (1)
Landscaping	Not required	Existing landscaping
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building

Other Critical Zoning Items	Urban Design (UDD #5), Barrier Free (ILHR 69)
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Table 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, Analysis, and Conclusion

The applicant, representing Christine's Kitchens, proposes an expansion to a shared kitchen for food preparation and production into the space adjacent to the existing location at 2817 East Washington Avenue, within the Madison East Shopping Center. Nine tenants—small local food businesses—are currently using the shared kitchen. An existing small boutique grocery store at the front of the 2817 space is open Fridays through Sundays during limited daytime hours and primarily sells baked goods. The applicant anticipates the expansion would accommodate approximately three additional small businesses doing the same general food preparation work done in the existing space, as well as a small area at the front of the space in which to host cooking classes. The number of food business employees working in the shared space at any one time is expected to increase from 7 to 15 in the existing space, with a total of 15 to 20 persons including the expansion. According to the applicant, there will be no increase in deliveries to the building and no exterior building changes are proposed.

This proposal is subject to the standards for Conditional Uses [M.G.O. §28.183] as M.G.O §28.067(2) lists *limited production and processing* at a food and related goods sales business as a conditional use in the Commercial Corridor - Transitional (CC-T) District. In regards to the approval 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 §28.183(6) M.G.O. are met.

Staff believes the proposal is consistent with the commercial portion of the Community Mixed Use recommendation in the Comprehensive Plan, which includes commercial uses, including employment, retail, and service uses, serving residents and visitors from the surrounding areas and the community as a whole. As noted above, the neighborhood plan does not include recommendations pertinent to this request or this location. However, the East Washington BUILD plan and associated East Washington Gateway Revitalization Plan supplement recommend future redevelopment of the area based on a smaller, pedestrian-friendly block layout with residential development behind the current shopping center and additional mixed-use development to the northeast of the shopping center. Both plans recommend the site continue to be used as a neighborhood shopping, service, and employment center.

Conditional Use Approval Standard #16 specifically relates to the proposed use and states that, "When applying the above standards to an application for limited production and processing use, the Plan Commission shall consider the effect of such a use on the surrounding properties, including the effects of odors, noise, vibration, glare, hours of operation, and other potential side effects of a manufacturing process." While there are some residential uses to the east and south, staff believes that this standard is met, given the scale and proposed activities of the baking and food preparation operations.

M.G.O. 28.151 contains further regulation for limited production and processing. In addition to being compatible with adjacent nonindustrial uses, all such uses must be accompanied by a retail component. The retail area at the front of the 2817 East Washington Avenue space primarily selling baked goods fulfills this requirement. Any change in the use, either changing the product being produced or the intensity with which it is produced and processed, will require a conditional use alteration.

The Planning Division anticipates that if well-managed, the proposed expansion to the food production and processing area should not result in significant impacts to the surrounding properties, especially in a predominantly commercial area surrounded by other retail, service, and restaurant uses along a major arterial street and somewhat separated from residential areas. Staff is unaware of any previous issues with the existing kitchen facilities. Staff believes that the proposed limited production and processing operation can be found to meet the Conditional Use Approval Standards and recommends that it be approved by the Plan Commission. If approved, the Plan Commission retains continuing jurisdiction over this conditional use, meaning that should

complaints be filed, the Plan Commission could take further action on this conditional use as allowed in MGO Section 28.183(9)(d).

At the time of report writing, Staff is unaware of any comments from the public.

Recommendation

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

The Planning Division recommends that the Plan Commission find that the approval standards for Conditional Uses are met and **approve** the request to allow limited production and processing at a food sales business at a property zoned CC-T (Commercial Corridor - Transitional District) at 2817 East Washington Avenue. These requests are subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Zoning (Contact Jenny Kirchgatter, (608) 266-4569)

1. Provide a minimum of four (4) short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. If existing bicycle stalls are located on the site, show their location on the site plan and provide a photo of the existing stalls. Otherwise, install a minimum of four bicycle stalls and provide a detail of the proposed bike rack.
2. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

The Fire Department, Parks Department, Traffic Engineering Division, Forestry Division, City Engineering Division – Mapping Office, Water Utility, and Metro Transit reviewed this proposal and provided no comments.