

PLANNING DIVISION STAFF REPORT

August 14, 2017



PREPARED FOR THE PLAN COMMISSION

Project Address: 931 E. Main Street (6th Aldermanic District, Alder Rummel)

Application Type: Conditional Use

Legistar File ID #: [47852](#)

Prepared By: Colin Punt, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Heather Stouder, AICP, Planning Director

Summary

Applicant/Contact: Eric Jones; 1216 Spaight St.; Madison, WI 53703

Property Owner: Common Wealth Development, Sarah Hole, Facilities Director; 1501 Williamson St.; Madison, WI 53703

Requested Action: Approval of a conditional use to establish a brewery and tasting room in an existing multi-tenant commercial building in the Traditional Employment (TE) District at 931 E. Main Street.

Proposal Summary: The applicant proposes to lease space for a brewery and tasting room with an estimated capacity of 80 people in an existing building. Most changes will be internal; some roof-mounted mechanicals and new exterior doors will be installed.

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 a Brewery as a Conditional Use in the Traditional Employment (TE) 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 brewery with a tasting room in an existing multi-tenant commercial building in the Traditional Employment (TE) District at 931 E. Main 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 roughly 69,696-square-foot (1.60-acre) subject site is located on the south corner of E. Main Street and S. Brearly Street; within Aldermanic District 6 (Ald. Rummel); and within the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject parcel is developed with a 50,455-square-foot building that served as a former bus terminal converted into a business incubator with up to 19 possible rental suites. The lot contains 46 surface parking spaces.

Surrounding Land Use and Zoning:

- Northwest: Across S. Brearly Street is a light manufacturing building, zoned TE;
- Northeast: Across E. Main Street are warehouses and small commercial buildings, zoned TE;
- Southeast: An active rail line and warehouse and office buildings, zoned TE; and
- Southwest: The City of Madison Water Utility’s fleet storage building, zoned TE.

Adopted Land Use Plan: Employment is recommended for the subject site by the [Comprehensive Plan \(2006\)](#). The [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#) recommends providing adequate space for incubator businesses and retaining and recruiting business development and job employment for the East Rail Corridor. The [East Rail Corridor Plan \(2004\)](#) recommends the primary uses developed along East Main Street should be employment uses, including offices, light industrial, artists and artisans, and business incubators, with some secondary mixed use, retail, and service business-support uses. It also recommends redeveloping East Main Street between Blair and Paterson Streets over time as a more pedestrian-oriented “business street” that could provide an attractive setting for new employment as well as for support uses serving the greater East Rail Corridor employment district.

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

Lot & Building Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	69,696 sq. ft.
Lot Width	50’	264’
Front Yard Setback	None	None
Side Yard Setback	None unless needed for access	None northeast 18’ 6” southwest
Rear Yard Setback	Lesser of 20% lot depth or 20’	Adequate
Maximum Lot Coverage	85%	Existing lot coverage
Minimum Building Height	22’ measured to building cornice	One story existing building
Maximum Building Height	5 stories/ 68’	One story existing building

Site Design	Required	Proposed
Number Parking Stalls	Proposed Brewery: 1 per 2 employees (2) Proposed Tasting room (food and beverage use): 15% of capacity of persons (12) Existing distillery and tasting room (Old Sugar Distillery): 15% of capacity of persons (15) Office, service business: 1 per 400 sq. ft. floor area (67) (96 total)	46 (See Zoning Report Note 1)
Accessible Stalls	Yes	2
Loading	2 (10’ x 50’)	2
Number Bike Parking Stalls	Brewery: 1 per 10 employees (1) Tasting room (food and beverage use): 5% of capacity of persons (4) Existing distillery and tasting room (Old Sugar Distillery): 5% of capacity of persons (5) Office, service business: 1 per 2,000 sq. ft. floor area (13) (23 total)	10 (See Zoning Report Note 2)

Landscaping and Screening	Not required	Existing landscaping (See Zoning Report Notes 3 & 4)
Lighting	Not required	Existing lighting
Building Forms	Not required	Existing building

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

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. Regarding Metro Transit service, the nearest stop is located one block west at the intersection of Paterson Street and E. Washington Ave.

Project Description

The applicant, Giant Jones Brewing, LLC., proposes to open a brewery and tasting room at 931 E. Main Street, Suite 9 in a roughly 2,800-square-foot tenant space of the 50,500-square-foot, multi-tenant “Main Street Industries” commercial building. Staff notes that the multi-tenant building at 931 E. Main St. already houses a conditional use, Old Sugar Distillery. The tenant space will undergo an interior renovation consisting primarily of adding interior walls and outfitting the facility with various equipment to create a roughly 830-square-foot area at the front of the space for the tasting room, a 950-square-foot area at the rear for production brewing, and roughly 1,000-square-feet for storage space, including cold storage.

As stated in the submitted materials, the applicant plans to install an 8.4-barrel brewing system. A new A/C condenser unit and glycol chiller will be installed on the roof of the building above the tenant space. Primary access from the street for customers via an existing door located on the Brearly St. façade and an internal existing door to a shared hallway and building ingress/egress, also opening onto Brearly St. The applicant’s letters to Alder Rummel and the Marquette Neighborhood Association indicate that the tasting room capacity is estimated at 80 persons. The maximum capacity of the tasting room shall be determined by the Director of Building Inspection prior to final signoff. Restrooms are located along an internal shared wall.

The applicant intends to self-distribute beer for wholesale and retail sale, and through on-site tasting room sales. In addition to the Conditional Use approval, the applicant requires a Wisconsin Department of Revenue (DOR) Brewery Permit and Sellers Permit. A brewery is authorized to conduct retail sales of its own beer at the brewery premises under the brewer permit issued by DOR. As a result, there is no requirement to obtain a local alcohol license. Therefore, there are no hours of operation or other conditions as there would typically be with Alcohol License Review Committee and Common Council review. The applicant is proposing the following hours of operation for the production brewery: Monday – Wednesday, 9:00 am – 5:00 pm, and Thursday and Friday, 9:00 am – 4:00 pm. For the tasting room, the proposed hours are Thursday and Friday, 4:00 pm – 11:00 pm, and Saturday, 11:00 am – 11:00 pm, which are the same as the tasting room hours of the Old Sugar Distillery also located in the Main Street Industries building.

While the majority of building changes are internal, the only exterior changes will be made along the main (northwest) façade. They will consist of replacing a former garage door opening with a new glass-paneled garage door and replacing the door in an existing exit.

A signage area is shown on the applicant-provided elevation drawing, but 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 brewery requires Conditional Use approval in the Traditional Employment (TE) District and the Supplemental Regulations [MGO §28.151] contain further regulations for this use.

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.

In regards to adopted plan recommendations, employment activities are recommended for the subject site by the various applicable adopted City plans. Employment is recommended for the site by the [Comprehensive Plan \(2006\)](#). The [Marquette-Schenk-Atwood Neighborhood Plan \(1994\)](#) recommends providing adequate space for incubator businesses and retaining and recruiting business development and job employment for the East Rail Corridor. The [East Rail Corridor Plan \(2004\)](#) provides further detail in recommending that the primary uses developed along East Main Street should be employment uses, including offices, light industrial, artists and artisans, and business incubators, with some secondary mixed use, retail, and service business-support uses. It also recommends redeveloping East Main Street between Blair and Paterson Streets over time as a more pedestrian-oriented "business street" that could provide an attractive setting for new employment as well as for support uses serving the greater East Rail Corridor employment district.

Regarding impacts on surrounding properties, the Planning Division believes that if the brewery and tasting room are well-managed, this proposal should not result in significant impacts to the surrounding properties. There are no immediate residential neighbors, no food production, no outdoor seating (though a garage door with a bar height counter blocking the opening may be open until 10:00 pm, weather permitting), and tasting room hours mirror those of the neighboring Old Sugar Distillery's tasting room hours.

Regarding possible odors, the applicant has stated that the smells from the brewing process will be produced for approximately one hour at a time, three to four times per week during production brewery hours, but does not anticipate the odors traveling more than one-half block. Regarding deliveries, the applicant states that there will be one weekly truck delivery of raw materials between the weekday hours of 9:00 am and 3:00 pm. Some of the beer produced will be sold on-site, and the beer that is to be distributed will be done so via small cargo van, rather than large cooling truck.

Given the location nearby major transit and cycling routes, it is anticipated that many patrons will arrive via alternative modes of transport. Seven Metro routes run along E. Washington Ave. (0.1 miles from the subject site) and five along Jennifer St. (0.3 miles from the subject site). The Capital City Bicycle Trail runs parallel to E. Main St. 0.2 miles from the subject site. Four bicycle parking spaces exist adjacent to the Main Street Industries

building parking lot, with an additional 8-bicycle rack on the corner of Main St. and Brearly St. The existing site has 44 shared on-site parking stalls, including 2 accessible stalls. As noted in the zoning report, further work is needed between the applicant and Zoning to establish the vehicle parking requirements for the existing multi-tenant building.

Public Input

At the time of report writing, staff was not aware of any public comments on this item.

Conclusion

Staff believes that the Conditional Use standards are met, and staff recommends that it be approved by the Plan Commission. Factors such as the small size of the establishment; the limited hours of the tasting room; the limited frequency and duration of product production; the timing and limited number of deliveries; the fact that all activities will occur within the building; and the other proposed conditions of approval will help mitigate anticipated impacts.

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 brewery and tasting room in an existing multi-tenant commercial building in the Traditional Employment (TE) District at 931 E. Main 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. Work with Zoning staff to establish the vehicle parking requirements for the multi-tenant building. The parking requirement for the proposed brewery and tasting room is 14 stalls. The parking requirements for the existing tenant uses must also be established. Please submit a summary of the existing building tenants and uses, square footage of tenant spaces, and occupancy or capacity if available.
2. Bicycle parking for the proposed brewery and tasting room shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of five (5) additional short-term bicycle parking stalls for the proposed brewery and tasting room 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 stall and within one hundred (100) feet of a principal entrance. Note that existing bicycle stalls located in the public right-of-way do not count toward the minimum bicycle parking requirement. A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
3. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it 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 if provided outside the building.

4. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All new rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).
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. The site plan does not accurately reflect all of the current conditions of the site. Clearly identify the existing improvements versus the proposed improvements on the site plan.
8. Clearly identify and label on the site plan the limits of the lease of a portion of Railroad Street for paved parking improvements per Document No's 2947941, 4400773 and 4899855.

Traffic Engineering Division (Contact Eric Halvorson, (608) 266-6527)

9. Due to the interior alterations the entrance on South Brearly Street no longer functions as designed, as such the applicant shall work with Traffic Engineering to explore options up to and including closure of the entrance.
10. 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.
11. 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.
12. 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.

Metro Review (Contact Timothy Sobota, (608) 261-4289)

13. Metro Transit provides daily bus service along East Washington Avenue, at stops in the Paterson Street intersection. Trips operate at least once every 30 minutes on weekdays, but only pass once an hour each direction on weekends. The last trips westbound - towards the downtown and campus - depart approximately 11:15 pm on weeknights, and 10:20 pm on weekend evenings. The final departures heading the opposite direction, towards East Towne Mall, depart around 11:55 pm during the week, and 11:00 pm on Saturdays and Sundays.