PLANNING DIVISION STAFF REPORT

November 13, 2023

PREPARED FOR THE PLAN COMMISSION

Project Address: **2927 E Washington Avenue** (15th Alder District, Ald. Martinez-Rutherford)

Application Type: Conditional Use

Legistar File ID # 80221

Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted

Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: Kirk Bangstad; Minocqua Brewing Company; 727 Lorillard Court, #431; Madison, WI 53703

Contact: Christopher M. Naumann; Christopher Max Design and Development, LLC; 2455 Lopez Lane; Green Bay, WI 54311

Property Owner: M & N Properties, LLC; 2607 Bass Road; Cottage Grove, WI 53527

Requested Action: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for a tasting room at 2927 E Washington Avenue.

Proposal Summary: The applicant proposes to establish a tasting room at 2927 E Washington Avenue. The facility will include two small additions located up against the building's rear (south) façade in the fenced-in courtyard – a small structure to house a one-barrel brewing system and a walk-in cooler located within a fence-type enclosure. Minor interior renovations are also planned.

Applicable Regulations & Standards: This proposal is subject to the standards for Conditional Uses [MGO §28.183] as Table 28D-2 in MGO §28.061(1) lists tasting rooms as conditional uses in the Commercial Corridor-Transitional (CC-T) District.

Review Required By: 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 establish a tasting room in the Commercial Corridor-Transitional (CC-T) District at 2927 E Washington Avenue. This request is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 25,200-square-foot (0.55-acre) parcel is located to the southwest of the intersection of E Washington Avenue and Oak Street. It is located within Alder District 15 (Ald. Martinez-Rutherford) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The parcel contains a one-story, roughly 7,300-square-foot, multi-tenant commercial building which, according to City Assessor's Office records, was originally built in 1964 and added onto three times.

Surrounding Land Use and Zoning:

North: Across E Washington Avenue are one-story commercial buildings, both zoned CC-T (Commercial Corridor-Transitional District);

South: Single-family residences, zoned TR-C4 (Traditional residential – Consistent 4 District);

East: Across Oak Street is a one-story medical office, zoned CC-T, and single-family residences, zoned TR-C4; and

West: A one-story Walgreens, zoned CC-T.

Adopted Land Use Plan: The Comprehensive Plan (2018) recommends Community Mixed-Use (CMU) for the subject site, which it describes as 2-6 stories and up to 130 dwelling units per acre. The Darbo Worthington Starkweather Neighborhood Plan (2017) recommends Community Mixed-Use (CMU) uses with buildings heights up to four stories/55 feet while the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan (2000) recommends General Commercial (C2) uses.

Environmental Corridor Status: The subject site is not within a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services.

Zoning Summary: The property is zoned Commercial Corridor-Transitional (CC-T) District

Requirements	Required	Proposed
Front Yard Setback	0' or 5'	Existing front setback
Max. Front Yard Setback: TOD	20'	Existing front setback
Side Yard Setback: Street side yard	0' or 5'	Existing east side yard setback
Side Yard Setback: Other cases	None unless needed for access	Existing west side yard setback
Rear Yard Setback	The lesser of 20% of lot depth or 20'	12' existing rear setback
Maximum Lot Coverage	85%	89.6% *(See Comment #4)*
Minimum Building Height: TOD	2 stories	1 story existing building

Site Design	Required	Proposed
Number Parking Stalls	No minimum required: TOD	24 existing parking stalls 2 garage stalls
Electric Vehicle Stalls	Not required	None
Accessible Stalls	Yes	1
Loading	Not required	None
Number Bike Parking Stalls	Tasting room: 5% of capacity of persons (TBD)	None *(See Comment #5)*
Landscaping and Screening	Yes	Yes *(See Comments #6, #7 & #8)*
Lighting	Not required	None
Building Form and Design	Not required	Existing building

Other Critical Zoning Items	Urban Design (UDD #5); Barrier Free (ILHR 69); Utility Easements; TOD Overlay

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Project Description, Analysis, and Conclusion

The applicant, Minoqua Brewing Company, is proposing to establish a tasting room in the building's roughly 910-square-foot central tenant space. Minoqua Brewing Company holds a brewery permit with the state of Wisconsin. While one facility is located in Minoqua, Wisconsin, this would be the other tasting room owned and operated by the brewing company to distribute and serve its products. The applicant is also proposing to add two small exterior

structures up against the building south façade, within the fenced-in courtyard – the first, a small (90-square-foot) structure which would house a one-barrel brewing system and the second, a walk-in cooler located within a fence-type enclosure of roughly the same size. The beer produced by this on-site brewing would only be consumed on site; there will not be any large-scale production at this location. Regarding the interior renovations, the changes will be minor – the addition of a 'self-service beer cave' at the front of the tenant space, and the second restroom as well as a built-in cooler at the rear of the space. As for capacity, they are proposing to accommodate 25-30 persons.

The hours of operation proposed are 11:00 am to 9:00 pm Wednesdays to Saturdays and 11:00 am to 6:00 pm Sundays to Tuesdays. It is to be staffed between 2-4 people (based on needs). As for on-site parking, there are 24 stalls located in the lot to the north of the building. No changes to the lot are proposed.

Conditional Use Standards

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 MGO §28.183(6) are met.

Staff believes that this proposed use is compatible with the Comprehensive Plan (2018) which recommends Community Mixed-Use (CMU) for which it describes as 2-6 stories and up to 130 dwelling units per acre. The Darbo Worthington Starkweather Neighborhood Plan (2017) – recommends Community Mixed-Use (CMU) uses with buildings heights up to four stories/55 feet while the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan (2000) recommends General Commercial (C2) uses.

Given the limited size, capacity, and hours of operation of the proposed business, Staff anticipates there will be little to no new negative impacts on the surrounding properties and the conditional use standards can be found met.

Conclusion

Staff believes that the proposed tasting room can be found to meet the Conditional Use Approval Standards and recommends that it be approved by the Plan Commission, subject to input at the public hearing and comments from reviewing agencies.

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 §28.183(9)(d).

At the time of report writing, staff is unaware of any public comment.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the approval standards for conditional uses are met and **approve** the request to establish a tasting room in the Commercial Corridor-Transitional (CC-T) District at 2927 E Washington Avenue. This recommendation is subject to input at the public hearing and the following conditions:

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

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

1. Survey 94-0870 on file with the Dane County Surveyor's Office denotes the garage to be 2' east of the west property line and the main building to be between 0.3 - 0.4' east of the west property line, not a zero lot line.

2. The radius in the northeast corner of the parcel is a 7' radius per Transportation Project Plat 5992-05-74. Correct this on the site plan.

Parking Review (Contact Trent W Schultz, (608) 246-5806)

3. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required.

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

4. Provide a calculation for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the existing site currently exceeds 85% maximum lot coverage, proposed site improvements may not further increase lot coverage above the maximum.

5. Bicycle parking for the tasting room shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum amount of short-term bicycle parking equal to 5% of capacity of persons located in a convenient and visible area on a paved or pervious 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. Provide a detail of the proposed bike rack.

6. Screening is required adjacent the Zoning district boundary along the south property line. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. For conditional uses, the Plan Commission may modify these requirements. Submit a photo or detail of the screening fence with the final plans.

7. Submit a detail of the trash enclosure. The trash enclosure 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. Note that City issued trash containers are not required to be screened.

8. Verify whether new rooftop mechanical equipment will be installed. 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).

9. 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.

10. 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.

Fire Review (Contact Matt Hamilton, (608) 266-4457)

11. Provide fire access plan for site

12. If area in rear of building will be used for public use provide occupancy and egress plan.

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

13. Metro Transit operates daily all-day transit service along East Washington Avenue adjacent this property - with trips at least every 30 minutes.

14. Metro Transit will operate daily all-day Bus Rapid Transit service along East Washington adjacent this property, as well as North Street west of this property - with trips averaging every 15 minutes.

15. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 131 Weekday & 48 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

The Planning Division, Engineering Division, Traffic Engineering, Parks Division, Forestry Section, and Water Utility have reviewed this request and have recommended no conditions of approval.