



## Report to the Plan Commission

February 18, 2013

**Legistar ID: #29087**  
**1221 Williamson Street**  
**Conditional Use**

Report Prepared By:  
Kevin Firchow, AICP  
Planning Division

**Requested Action:** The applicant requests approval a conditional use to construct and operate outdoor eating areas for a grocery store.

**Applicable Regulations & Standards:** This request was submitted under and subject to the 1966 Zoning Code. In that code, Section 28.09(3)(d)32 lists outdoor eating areas accessory to another use as a conditional use in the C2 (General Commercial) District. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** the proposed conditional use at 1221 Williamson Street to allow the construction and operation of the proposed outdoor eating areas. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### Background Information

**Applicant / Owner:** Anya Firszt; Williamson Street Grocery Cooperative; 121 Williamson St; Madison, WI 53703

**Contact:** Matthew Aro; Aro Eberle Architects; 116 King St, Suite 202; Madison, WI 53703

**Proposal:** The applicant proposes to construct and operate two outdoor eating areas accessory to the Willy Street Co-op. In total, there will be 81 total seats divided between an existing at-grade patio and a second floor balcony.

**Parcel Location:** The subject site is a 1.31 acre site on the south side of Williamson Street, midblock between South Few and Baldwin Streets. The site is located in Aldermanic District 6; Madison Metropolitan School District; and the Third Lake Ridge Historic District.

**Existing Conditions:** The site includes the existing grocery store site. Proposed physical changes are depicted on the attached plans.

### Surrounding Land Use and Zoning:

**North:** Mixed Use buildings and two two-unit structures zoned TSS (Traditional Shopping Street), formerly zoned C2 (General Commercial District);

**South:** Single, Two, Three, and Four-unit homes on Jenifer Street, zoned TR-C4 (Traditional Residential Consistent) and TR-V1 (Traditional Residential Varied), formerly zoned R4A (Limited General Residence District);

**East:** Landmark "Sixth Ward Public Library" building (now an office) and two mixed-use buildings fronting Williamson Street, zoned TSS (formerly zoned C2); and

**West:** Madison Fire Department, zoned TSS (formerly zoned C2);

**Adopted Land Use Plan:** The Comprehensive Plan recommends community mixed use for this site.

**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.

**Zoning Summary:** Under the 1966 code, the property's zoning is split between two commercial districts. The Williamson Street frontage is zoned C2 (General Residence District). The proposed outdoor eating areas are within this portion of the property. The rear of the property is zoned C1 (Limited Commercial District).

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	56,628 sq. ft.
Lot width	50'	231'
Front yard	0'	adequate
Side yards	0'	adequate
Rear yard	10'	adequate
Site Design	Required	Proposed
Number parking stalls	1 per 300 sq. ft. of retail area.	53 existing
Accessible stalls	3	3 (See Comment # 5)
Loading	2 (10'x35')	2 Existing (See Comment # 9)
Number bike parking stalls	6	24
Landscaping	No	Yes
Lighting	existing	existing
Other Critical Zoning Items	Third Lake Ridge Historic District, Barrier free (ILHR 69)	

*Table Prepared by Patrick Anderson, Assistant Zoning Administrator*

## **Project Review, Analysis, and Conclusion**

The applicant, the Willy Street Co-op, requests conditional use approval to operate two outdoor eating areas accessory to the existing facility.

The first outdoor eating area is located along the front of the building, within an existing at-grade patio area. Plans show that eight (8) tables will be provided, allowing seating for up to 32 patrons. This area is separated from the parking lot with existing fencing and proposed landscaping. The second-floor outdoor eating area is a proposed as part of a larger second-story addition. Submitted plans show this area has a maximum capacity of 49 occupants.

As stated in the letter of intent, both of the outdoor eating areas would be open during the store hours of 7:30 am through 9:30 pm.

Staff notes that the building additions depicted on these plans were issued a "certificate of appropriateness" by the Landmarks Commission on December 10, 2012. Plans for these expansions have been submitted for site plan review, as an alteration to the existing permitted use.

Staff doesn't anticipate significant noise or other negative impacts resulting from the operation of the proposed outdoor eating areas. Both outdoor eating areas are located at the front of the building, furthest away from the residential development behind the store on Jenifer Street. At the time of report writing, staff was not aware of neighborhood concerns on the establishment of the outdoor eating areas. Staff believes the conditional use standards can be met.

## **Recommendation 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 the conditional use standards are met and **approve** the proposed conditional use at 1221 Williamson Street to allow the construction and operation of the proposed outdoor eating areas. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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

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

1. Additional comments may be required for the concurrent Permitted Use application for the building addition. The Permitted Use application shall be approved prior to the approval of the outdoor eating / recreational Conditional Use application.
2. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building footprints; b) Internal walkway areas; c) Internal site parking areas; d) Lot lines and right-of-way lines; e) Street names; f) Stormwater Management Facilities; and g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

### **Traffic Engineering Division** (Contact Eric Halvorson, 266-6572)

This agency submitted a report with no recommended conditions of approval.

### **Zoning Administrator** (Contact Patrick Anderson, 266-5978)

3. Pursuant to section 28.04 (12)(c) where sites shares a zoning district boundary with residential district. This development must provide effective 6' – 8' high screening along the lot line of this commercial district adjoining a residential zoning district. This requirement may be modified by the Plan Commission for this Conditional Use.
4. Bike parking shall comply with City of Madison General Ordinances Section 28.11. Provide six bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
5. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of three accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.

- b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
  - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
6. Meet applicable building/fire codes. The outdoor capacity shall be established. Occupancy is established by the Building Inspection Unit. Contact Mike VanErem at 266-4559 to help facilitate this process.
  7. 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 prior to sign installations.
  8. Show building setbacks on the final site plans.
  9. Parking & Loading shall comply with City of Madison General Ordinances Section 28.11 (4). Provide (2) 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. Call out and dimension loading area.
  10. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: a) Building footprints; b) Internal walkway areas; c) Internal site parking areas; d) Lot lines and right-of-way lines; e) Street names; f) Stormwater Management Facilities; and g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

**Fire Department** (Contact Bill Sullivan, 261-9658)

11. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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

12. This property is not in a Wellhead Protection District. 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 not need a copy of the approved plans.

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

This agency did not submit a response to this request.

**Parks Division** (Contact Kay Rutledge 266-4717)

This agency did not submit a response to this request.