

PLANNING DIVISION STAFF REPORT

August 8, 2016



PREPARED FOR THE PLAN COMMISSION

Project Address: 2901 Dryden Dr. (District 12 - Ald. Palm)
Application Type: Conditional Use, Demolition
Legistar File ID # [43576](#)
Prepared By: Jessica Vaughn, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted

Summary

Applicant: Vicky Stadther; McDonald's; 1650 W. 82nd St., # 900; Bloomington, MN 55431

Property Owner: McDonald's Corp. c/o Missoula Mac Inc.; N3250 County Rd. J; Poynette, WI 53955

Contact: Joel Johnson; Bishop Engineering; 3501 104th St.; Urbandale, IA 50322

Requested Action: The applicant requests approval of a:

- Demolition Permit to demolish the existing street fronting façade to remove the existing 'Play Place' area (roughly 1,230 square-feet of building); and
- Conditional Use to modify an existing Conditional Use approval, including various site improvements and building design changes.

Proposal Summary: The applicant is seeking approval of a Demolition Permit to demolish the indoor play area at an existing restaurant (McDonald's). The total building area to be demolished is roughly 1,230 square feet. The building area will be replaced with landscaping. The applicant is also requesting a Conditional Use to modify an existing Conditional Use approval to remodel the existing McDonald's building, both interior and exterior, update the access drives, walks and parking stalls to be ADA compliant, re-brand the drive-thru, provide a sidewalk connection from the site to the sidewalk along Northport Drive, resurface the existing parking lot, and site landscaping.

Applicable Regulations & Standards: This proposal is subject to the standards for demolition permits pursuant to Section 28.185(7), MGO.

Pursuant to Section 28.183(8), MGO, no alteration of a conditional use shall be permitted unless approved by the Plan Commission. As such, the development proposal is subject to the standards for Conditional Uses pursuant to Section 28.183(6), MGO and the Supplemental Regulations pursuant to Section 28.151, MGO for vehicle sales and service windows.

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the approval standards for:

- Demolition Permit are met and **approve** request to demolish the existing street facing façade to remove the McDonald's Play Place (totaling 1,230 square feet) at 2901 Dryden Dr.; and
- Conditional Use are met and **approve** the conditional use request modify an existing Conditional Use approval, including various site improvements and building design changes.

This recommendation is subject to the input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The project site is located at the southwest corner of the intersection of Northport and Dryden Drives and is comprised of approximately 49,900 square feet (1.14 acres).

The site is in Aldermanic District 12 (Palm), the Madison Metropolitan School District and the Northport-Warner Park-Sherman Neighborhood.

Existing Conditions and Land Use: Currently the project site is home to an existing restaurant (McDonald's) with vehicles sales and service window (drive-thru). The existing building is a one-story building with a mansard roof configuration that is roughly 5,512 square feet in size.

Surrounding Land Use and Zoning: The project site is zoned Commercial Corridor-Transitional (CC-T). Pursuant to Section 28.067, MGO, the CC-T zoning district's general purpose and intent statement speaks to:

- Improving the quality of landscaping, site design and urban design along these corridor;
- Encouraging appropriate transitions between higher-intensity uses along commercial corridors and adjacent lower-density residential districts; and
- Facilitating preservation, development or redevelopment consistent with the adopted goals objectives, policies and recommendations of the Comprehensive Plan and of adopted neighborhood, corridor or special area plans.

North (across Northport Drive): Commercial (Advanced Auto Parts); CC-T zoning;

South: Multi-family residential; Suburban Residential-Varied 2 (SR-V2) zoning;

East: Multi-family residential; SR-V2; and

West (across Dryden Dr.): Commercial uses; CC-T zoning.

Zoning Summary:

Requirements	Required	Proposed
Front Yard Setback	None	90.28'
Side Yard Setback	One-story: 5' Two-story or higher: 6'	41.31' (east) 68.65' (west)
Rear Yard Setback	The lesser of 20% lot depth or 20'	103'
Maximum Lot Coverage	85%	75.7%
Maximum Building Height	5 stories/68'	1 story
Site Design	Required	Proposed
Number Parking Stalls	Restaurant: 40% of capacity of persons (37)	34 3 stalls RV/car with trailer
Accessible Stalls	Yes	2
Loading	None	None

Number Bike Parking Stalls	Restaurant: 5% of capacity of persons (5)	6
Landscaping and Screening	Yes	Yes (Zoning Conditions #4,5,6,7)
Lighting	Yes	No (Zoning Condition #8)
Building Forms	No	Existing building

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

Zoning Table prepared by: Jenny Kirchgatter, Assistant Zoning Administrator

Comprehensive Plan: The Comprehensive Plan designates the project site as being within the Community Mixed-Use (CMU) district. The Comprehensive Plan recognizes that the CMU districts are the recommended locations for a relatively high-density mix of residential, retail, office, institutional and civic uses in a compact urban setting. The Comprehensive Plan recommends commercial buildings, employment, retail and service uses, housing types similar to Medium Density Residential districts, mixed-use buildings and non-residential support uses as being appropriate in the CMU districts (Page 2-89, Comprehensive Plan).

Adopted Neighborhood Plan: The project site is located within the Northport-Warner Park-Sherman Neighborhood Plan (the "Plan") planning area. The Plan identifies seven areas for development or redevelopment, including Area 1, the Northside TownCenter. Although the project site is not included in this area, it is located just to the west of the project site, across Dryden Drive. As indicated in the Plan, generally the redevelopment concepts focus on strengthening this area as a key focal point in the neighborhood and enhancing the image of the community, connectivity, and streetscape (Page I-7 and 8, Northport-Warner Park-Sherman Neighborhood Plan).

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

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

Project Description

The applicant requests approval of a Demolition Permit and Conditional Use to demolish the existing indoor play area associated with the existing McDonald's restaurant. The total building area to be demolished is roughly 1,230 square-feet, which will be replaced with site landscaping.

The applicant is also requesting a Conditional Use to modify an existing Conditional Use approval to:

- Remodel the existing McDonald's building, both interior and exterior,
- Update the access drives, walks and parking stalls to be ADA compliant,
- Re-brand the drive-thru,
- Provide a sidewalk connection from the project site to the sidewalk along Northport Drive,
- Resurface the existing parking lot, and
- Update the site landscaping to meet Zoning code requirements.

Analysis and Conclusion

This proposal is subject to the standards for:

- Demolition Permits pursuant to Section 28.185(7), MGO;
- Conditional Use pursuant to Section 28.183(6), MGO; and
- Supplemental Regulations pursuant to Section 28.151, MGO for vehicle sales and service windows

The intent of the Demolition Permit review is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic resources, encourage reuse and/or relocation of existing buildings and to give a property owner a decision on a proposed use prior to demolishing or moving an existing building.

Generally, the intent of a Conditional Use review is to determine if a particular site is an appropriate location for a proposed use, to evaluate the compatibility of that use with surrounding uses and development, and to mitigate potential nuisance impacts to surrounding properties. In order to approve the Conditional Use request, Plan Commission must find that the proposed Conditional Use approval standards pursuant to Section 28.183(6), MGO, including those related to normal and orderly development, mitigating nuisance impacts, and consistency and compatibility with the existing development have been met.

Demolition Permit requests, like Conditional Use requests are reviewed for consistency with the

- Applicable zoning district provisions for the CC-T zoning district and Supplemental Regulations;
- The adopted neighborhood plan;
- The city's Comprehensive Plan; and
- The report from the City's Historic Preservation Planner (Demolition Permit only).

Planning Division staff believes that the proposed Demolition Permit and Conditional Use requests can meet the approval standards, including:

- The area is characterized by predominantly commercial area serving as a retail-commercial activity center on Madison's north side that is already served by a full range of City services as identified in the City's Comprehensive Plan and adopted neighborhood development plan. The development proposal, while not a full redevelopment of the project site, maintains the existing restaurant use and the majority of the existing building and general site plan while bringing the project site into compliance with code requirements, including providing for a pedestrian connection between the project site and sidewalk. For these reasons Planning Division staff believes that the proposal is consistent with the development pattern prevalent in the area, intent of the zoning district and adopted neighborhood plan that speak to redevelopment, creating pedestrian connections, site maintenance and improvements along corridors (Standards #1-2, 4-5).
- Given that the existing use will be maintained, Planning Division staff believes that the proposal will maintain consistency compatibility with the nature and operational characteristics of the surrounding uses as identified in both the Comprehensive Plan and adopted neighborhood plan. Any foreseeable adverse impacts will be minimal (Standard #3).
- The proposed site improvements, including the modifications to the existing vehicle sales and service window will be consistent with the development standards as stipulated by the Zoning Code, including setbacks. In addition, the changes to the existing vehicle sales and service window will be consistent

with the Supplemental Regulations pursuant to Section 28.151, MGO, including those related to the design of drive-through canopy, speaker box or menu board.

- The proposed exterior building renovations will refresh an aging façade. The proposed alterations will revitalize the existing building (Standard #9).
- Historic Preservation staff and the Landmarks Commission reviewed the proposed demolition at its July 18, 2016 meeting. The Landmarks Commission approved the request for demolition finding that the existing building at 2901 Dryden Dr. has no known historic value.

At the time of report writing no public comment had been received.

Recommendation

Planning Division Recommendation (Contact Jessica Vaughn, (608) 267-8733)

The Planning Division recommends that the Plan Commission find that the approval standards for:

- Demolition Permit are met and **approve** request to demolish the existing street facing façade to remove the McDonald's Play Place (totaling 1,230 square feet) at 2901 Dryden Dr.; and
- Conditional Use are met and **approve** the conditional use request modify an existing Conditional Use approval, including various site improvements and building design changes.

This recommendation is 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

Planning Division (Contact Jessica Vaughn, (608) 267-8733)

This agency has reviewed this request and has recommended no conditions of approval.

City Engineering Division (Contact Brenda Stanley, (608) 261-9137)

This agency has reviewed this request and has recommended no conditions of approval.

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

1. 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; semi-trailer movement and vehicle routes; dimensions of radii; and percent of slope.

2. 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.
3. All parking facility design shall conform to the standards, as set in Section 10.08(6), MGO.

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

1. Section 28.185(7)(a)(5), MGO requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
2. Pursuant to Section 28.185(10), MGO, every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)(5), MGO shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
3. Pursuant to Section 28.185(9)(a), MGO a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
4. The Applicant shall submit a landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3), "*Landscape Plan and Design Standards*", MGO, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
5. Screening is required adjacent the Zoning district boundary along the east and south property lines. 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. Submit a detail of the screening fence with the final plans.
6. The Applicant shall 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.
7. The Applicant shall submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d), MGO. Screens shall be of durable, permanent materials that are compatible with the primary building materials. Provide a detail of any proposed rooftop mechanical screens.
8. Exterior lighting provided shall be in accordance with Section 10.085, MGO. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
9. 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 Bill Sullivan, (608) 261-9658)

This agency has reviewed this request and has recommended no conditions of approval.

Parks Division (Contact Janet Schmidt, (608) 266-4714)

1. Additional street trees are needed for this project. All street tree planting locations and trees species within the right-of-way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
2. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Water Utility (Contact Adam Wiederhoeft, (608) 266-9121)

This agency has reviewed this request and has recommended no conditions of approval.

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

1. Metro Transit would support the applicant, if they wanted to pursue the installation of a transit passenger amenity as part of their landscape improvements near the pedestrian access to Northport Drive and the existing bus stop location.
2. The Applicant could identify a privately owned and maintained seating amenity to be installed in this area, adjacent the pedestrian access to the public sidewalk - or the applicant would be welcome to draft and record an official easement document, granting the City of Madison an approximately 10'x6' space adjacent the existing City right-of-way - for the City to install and maintain a public amenity such as a passenger waiting shelter with bench.

City Engineering Review Mapping (Contact Jeff Quamme, (608) 266-4097)

This agency has reviewed this request and has recommended no conditions of approval.