



PREPARED FOR THE PLAN COMMISSION

Project Address: 3230 Larsen Road, Town of Blooming Grove
Application Type: Cooperative Plan Development Approval
Legistar File ID # [57106](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: David D. Wood; 3200 Larsen Road; Madison.

Requested Action: Approval of a request to construct a reception hall/event center at 3230 Larsen Road, Town of Blooming Grove in satisfaction of the development review provisions in the Town of Blooming Grove and City of Madison Cooperative Plan, and approval of an extraterritorial Certified Survey Map (CSM) to re-divide two lots.

Proposal Summary: The applicant is seeking approvals to allow construction of the approximately 6,800 square-foot “BarnWood” reception hall/event center and associated surface parking lot on a portion of two parcels located at 3200 and 3222-3224 Larsen Road in the Town of Blooming Grove. The overall 37-acre site includes two residences, including the applicant’s single-family residence at 3200 Larsen Road, and a two-family dwelling with accessory barn and detached four-car garage on the 3222-3224 Larsen Road parcel. The residences and garage will remain, while the barn will be razed to accommodate the new event facility. The two lots currently comprising the subject site will be re-divided to reflect the proposed development by CSM.

Note: A public hearing was noticed for this request for the September 16, 2019 Plan Commission meeting. However, the applicant requested referral to the October 14 meeting to make minor modifications to the proposed site plan.

Review Required By: Plan Commission. Following a City approval of this request, the applicant will finalize the necessary approvals from the Town of Blooming Grove and Dane County Board, which are conditioned on or pending based on the outcome of the Plan Commission decision on this development request.

Summary Recommendation: The Planning Division recommends that the Plan Commission **approve** the request to construct a reception hall/event center at 3230 Larsen Road, Town of Blooming Grove in satisfaction of the development review provisions in the Town of Blooming Grove and City of Madison Cooperative Plan subject to input at the public hearing and the comments and conditions from reviewing agencies beginning on page 6 of this report.

Background Information

Parcel Location: Approximately 37 acres of land in the Town of Blooming Grove comprised of two parcels that extend along the east side of Larsen Road between Meadowview Road and E. Clayton Road.

Existing Conditions and Land Use: The two parcels are developed with two residences, including the applicant’s single-family residence at 3200 Larsen Road, and a two-family dwelling with accessory barn and detached four-car garage on the 3222-3224 Larsen Road parcel. The remainder of the land is undeveloped, with the eastern

portion of the property in tillage. Dane County recently approved rezoning of the northern 8.06 acres of the subject site to GC (General Commercial District) and a conditional use to support construction of the reception hall/events center and parking and reuse of the two-family residence as a “wedding party retreat.” The remaining 28.93 acres of the property, including the single-family residence and undeveloped land, were rezoned to the RM-16 (Rural Mixed-Use District) as part of the same request.

Surrounding Land Use and Zoning:

North: Capital City Trail and Dane County Nine Springs E-Way in the Town of Blooming Grove and City of Madison;

South: Single-family residences south of Meadowview Road in the Town of Dunn;

East: Single-family residence on large parcel and undeveloped agricultural land in the Town of Blooming Grove;

West: Single-family residences on large parcels and undeveloped agricultural land west of Larsen Road in the City of Fitchburg.

Adopted Land Use Plans: The property is located outside of the areas currently covered by an adopted City of Madison neighborhood development plan.

The 2018 Comprehensive Plan identifies the subject site and future City of Madison parcels located east of Larsen Road extending north from Meadowview Road for Park and Open Space uses, including the County-owned Nine Springs E-Way and Lake Farms Park. This area of the future City is governed by a map note (#14) on the Generalized Future Land Use Map that recommends that the “land should either continue in its current agricultural use or be incorporated into the adjacent Capital Springs State Recreation Area.”

Environmental Corridor Status: The site is located within the Central Urban Service Area. There is a mapped environmental corridor located along a portion of the northern property line in the area of a delineated wetland. The wetland and corridor continue north onto a portion of the County-owned open space parcels.

Public Utilities and Services:

Water: Property is not served by municipal water.

Sewer: Both residences are connected to the Madison Metropolitan Sewerage District’s Nine Springs Valley sanitary interceptor sewer, which extends north-south through the subject property. The proposed reception hall/events center will also be connected to this sewer.

Fire protection: City of Madison Fire Department.

Emergency medical services: City of Madison Fire Department.

Police services: Dane County Sheriff’s Department–South Precinct.

School District: Oregon Area School District.

Project Description

The applicant is requesting Plan Commission approval to construct an approximately 6,800 square-foot reception hall and event center on approximately 8 acres of his larger 37-acre property. The subject site is generally addressed as 3200-3224 Larsen Road, with a new address assigned by Dane County for the proposed facility of 3230 Larsen. The site is located at the southwesternmost corner of the Town of Blooming Grove, extending along the east side of Larsen Road from Meadowview Road and the Blooming Grove/Town of Dunn town line north to

Dane County's Nine Springs E-Way and the Capital City Trail. Larsen Road is the easternmost limits of the City of Fitchburg.

The 37-acre site is comprised of two parcels. The larger of the two is a 34.5 parcel (3200 Larsen) developed with the applicant's single-family residence and agricultural land, with the remaining 2.52 acres of land at 3222-3224 Larsen Road developed with a two-family dwelling, barn, and detached four-car garage. The site is characterized by rolling terrain that falls from a high point on the eastern property line of the overall site towards a pond on the western portion of the property south of the applicant's residence, and towards a wetland located along the northern property line east of the barn. Significant tree cover is present on most of the western half of the overall site, and in tree lines present along Meadowview Road and the eastern property line.

On May 2, 2019, Dane County approved rezoning 8.06 acres of the subject site located along the northern property line to GC (General Commercial District) and a conditional use to support construction of the reception hall/event center, associated parking, and reuse of the two-family residence as a "wedding party retreat." The proposed "BarnWood Events" center will be located northeast of the two-family residence and directly west of the wetland area, which continues north onto the County-owned open space. A 32-foot setback is proposed from the northern property line. Detailed floorplans and building elevations for the rustic-themed facility are included in the Plan Commission materials for this request. The eastern wall of the proposed building will open onto a stamped concrete patio that will overlook a bioretention facility, wet detention basin, and the wetland generally east of the building. The existing barn on the property will be razed to accommodate the event center, while the four-car garage east of the two-family residence will be converted into storage and the trash enclosure for the facility.

Parking for the reception hall/event center will be provided in 134 stalls to be located southeast of the proposed building. Access to the site will be provided from an existing driveway from Larsen Road, which will be extended to serve the six handicapped-accessible stalls to be located nearest to the building, and the 128-stall main lot to be located south of the wet pond and wetland. Both the reception hall/events center and parking lot will observe a 75-foot setback from the wetland.

According to the letter of intent, the 6,800 square-foot reception hall/event center will have a capacity of 300. A list of potential uses for the facility are outlined on page 2 of the letter of intent. Events at the facility may occur as late as 11:00 PM on certain nights, although the letter of intent is unclear as to the total number of events that may be held in a given week, or if events on other nights may have later operating hours. In discussions with staff, the applicant indicates that the "wedding party retreat" will be incorporated into the primary use of the 8.06-acre as a place where visiting parties may stay/lodge related to their event, or use to prepare for their event in the main building.

As part of the rezoning and conditional use approvals, the applicant is seeking approval to re-divide the two parcels by Certified Survey Map into a lot for the reception hall/event center use in GC zoning, with the remaining 28.93 acres of the property, including the single-family residence and undeveloped land, to occupy the other lot. The larger lot was rezoned to RM-16 (Rural Mixed-Use District) as part of the same County zoning request. A copy of the CSM is included in the application materials.

Analysis and Conclusion

The subject site is located at the likely future southernmost edge of the City of Madison in this area based on the City's 2005 intergovernmental agreement and 2006 cooperative plan with the Town of Blooming Grove. Pursuant

to the agreement and plan, the subject site and lands to the north and east will attach to the City of Madison on November 1, 2027 as part of the “final attachment” of the Town to the City, after which Blooming Grove will cease to exist. The City of Madison does not anticipate crossing Meadowview Road south into the Town of Dunn for the foreseeable future – if ever.

Development in the Town of Blooming Grove during the transition period between adoption of the cooperative plan (“plan”) and ultimate dissolution of the Town is regulated by the plan. “Develop/ment” as defined in the plan is the division of land, or **construction of more than one principal structure on a parcel of land, or rezoning a parcel from a residential or agricultural classification to a non-residential classification** (emphasis added). Per Section 11.B. of the plan, “[a]ny development in the Town shall be subject to approval by the City in accordance with City Development Requirements. In the Protected Areas, the full range of urban services may not be required, in the sole discretion of the City. In areas outside of the Protected Areas, the full range of urban services, including City water and sewer service, and attachment to the City may not be required, in the sole discretion of the City. The Town shall not grant any development approvals inconsistent with this paragraph.” “City Development Requirements” include but are not limited to all adopted neighborhood development plans, land use or comprehensive plans, the Subdivision Regulations, Impact Fee Ordinance (Chapter 20, MGO), and the [Stormwater] Erosion Control Ordinance (Chapter 37, MGO).

This provision is similar to provisions in the City’s intergovernmental agreements with the towns of Middleton and Burke and is intended to implement the overall tenets of the cooperative plan, which include ensuring continuity for the town government, assuring orderly development of town properties prior to attachment, and ensuring that any development in the town can be as seamlessly assimilated into the City of Madison as possible. However, reviews such as the one pending before the Plan Commission for the subject site are rare, with only one other instance in the last ten years on Daentl Road in the Town of Burke.

The rezoning of 8.06 acres of the northern portion of the 37-acre property and the construction of the 6,800 square-foot reception hall/event center and associated parking triggered the City’s development review under the cooperative plan. Staff did not consider the reconfiguration of the two existing lots into two new lots reflecting the proposed development as a qualifying development activity.

The subject property is not located in a protected area as defined in the cooperative plan. Prior to the applicant’s filing for City development review, staff from various City agencies discussed whether to exercise the provision in the plan that allows attachment of a property outside a protected area to the City as a consequence of the proposed development. However, due to the limited scope of the project and the distance between the subject site and next nearest property in the City of Madison, it was felt that the property should remain in the Town until final attachment on November 1, 2027. In particular, the attachment of the 37 acres to the City would have required the City to immediately assume responsibility for maintenance of roughly a half-mile of road frontage along Meadowview and Larsen Roads, as well as need to collect refuse from at least one residence, which it was felt would be disproportionate to any benefit accruing to the City for having the property and proposed reception hall/event center within the corporate limits prior to final attachment.

However, staff believes that the area to be rezoned and proposed reception hall/events center should comply to the extent possible with Madison General Ordinances and adopted plans while it remains in the Town of Blooming Grove.

The property is located outside of the areas currently covered by an adopted City of Madison neighborhood development plan. The 2018 Comprehensive Plan identifies the subject site and future City of Madison parcels located east of Larsen Road extending north from Meadowview Road for Park and Open Space uses, including the County-owned Nine Springs E-Way and Lake Farms Park. Specifically, this area of the future City is governed by a map note (#14) on the Generalized Future Land Use Map that recommends that the “land should either continue in its current agricultural use or be incorporated into the adjacent Capital Springs State Recreation Area.”

Staff believes that the proposed use of the northern 8.06-acres of the site as a reception hall/events center is neither consistent nor inconsistent with this land use recommendation and the map note. On one hand, the City generally strives to limit development in areas recommended for park and open space and with limited public services. On the other, the proposed “wedding barn” may be seen as complementary to the open space located to the north of the site and the otherwise agricultural character to the south and east. Operation of the facility would also not preclude the use or acquisition of other land recommended for future open space north of Meadowview Road. The proposed use will also likely be less intensive over the long-term than the residential uses planned nearby for properties to the west in Fitchburg.

However, staff believes that the intensity of use should be limited to minimize impacts on nearby properties and public services in the Town until final attachment or the City following. “Lodge, private club, **reception hall**” is a conditional use in the employment zoning districts and the PR (Parks and Recreation) district. Staff feels that given the park and open space recommendation for the site and nearby properties that it would be best to review the project similar to the PR zoning district. Whether all or some of the property will be zoned PR at the time of final attachment will be determined closer to 2027.

The PR district allows limited development on lots that are required to be five (5) acres in area, with 30-foot setbacks required in the front, side and rear yards. There are no building or lot coverage minimums or maximums in the PR district. The site plan shows that the proposed event facility and parking lot will comply with the 30-foot setbacks of the PR district. The proposed building will also comply with the maximum two-story, 35-foot height limit in PR zoning, with a 33.7-foot height to the peak of the gabled roof. In addition, the supplemental regulations in Section 28.151 of the Zoning Code allows a reception hall to serve food and intoxicating beverages “when licensed.”

To limit the intensity of the use, staff proposes that a restrictive covenant be executed by the applicant that governs use of the property between now and comparable zoning approval for the 3230 Larsen Road site is approved by the City of Madison timed with or following the attachment of the property to the City in 2027. The restrictive covenant shall limit the hours of the reception hall and event center to 11:00 p.m. seven days a week and the capacity of the facility to 300 persons at any time. The operator will also be required to maintain the necessary licensing to serve food and intoxicating beverages from whichever municipality has jurisdiction over the facility consistent with the supplemental regulations in the City’s Zoning Code. Staff feels that these conditions are similar to ones that would be applied to this development if it were located in the City and subject to conditional use approval per the Zoning Code.

The reception hall and event center will initially be within the jurisdiction of the Dane County Sheriff, who provides police protection to the Town of Blooming Grove. However, the applicant has met the command staff of the Madison Police Department’s South District to discuss the proposed facility. Staff proposes that the applicant prepare a security plan for the reception hall and event center that indicates how security staff will be used for larger events when intoxicating beverages will be served and/ or entertainment will be offered (such as for

weddings). The security plan shall be approved by the Dane County Sheriff's Office and included with the restrictive covenant. Final approval and recording of the covenant will be required prior to final City approvals of the proposed development.

The Town of Blooming Grove Plan Commission and Board both voted unanimously to approve the development subject to a condition that "the City of Madison...approves the development in a way that is materially consistent with the project as proposed".

Recommendation

The Planning Division recommends that the Plan Commission **approve** the request to construct a reception hall/event center at 3230 Larsen Road, Town of Booming Grove in satisfaction of the development review provisions in the Town of Blooming Grove and City of Madison Cooperative Plan subject to input at the public hearing and the following conditions:

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

Planning Division

1. Clearly label the overall square-footage of the proposed reception hall/events center on Sheet C120 and Sheet A101.
2. The site plan and floorplans shall include the maximum capacity of the proposed facility.
3. The applicant shall submit for approval by the Planning Division a restrictive covenant benefitting the City of Madison to be executed and recorded at the Dane County Register of Deeds prior to final development approvals and commencement of construction. The covenant shall limit the hours of the reception hall and event center to 11:00 p.m. seven days a week; restrict the capacity of the facility to 300 persons at any time; require the operator to maintain the necessary licensing to serve food and intoxicating beverages from whichever municipality has jurisdiction over the facility, and; include a security plan for the reception hall and event center that indicates how security staff will be used for larger events when intoxicating beverages will be served and/or entertainment will be offered. The security plan shall be approved by the Dane County Sheriff's Office and included with the restrictive covenant.

The following conditions of approval have been submitted by reviewing agencies:

City Engineering Division (Contact Tim Troester, 267-1995)

4. City Engineering will review the Stormwater Management Plan, but Blooming Grove, Dane County and Wisconsin Department of Natural Resources (WDNR) will be the approving agencies. All applicable permits from the State, Blooming Grove, and Dane County shall be obtained.
5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

6. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151. However, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPA) and no separate submittal to this agency or CARPC is required for this project to proceed.
7. A portion of this project may come under the jurisdiction of the US Army Corp of Engineers and Wisconsin Department of Natural Resources for wetland, floodplain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the WDNR and USACOE for a jurisdictional determination.
8. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.
9. This site appears to have a land use that will result in their inclusion as a restaurant class sanitary sewer customer. This will charge commercial kitchen facilities a higher sanitary sewer fee per gallon than domestic users and is based on strengths of waste measured at representative similar customers throughout the City. If the applicant desires, a sampling structure may be installed, as part of the initial construction at their cost, to allow site-specific sampling of their waste to determine sanitary sewer charges specifically for this site. If no sampling structure is installed, this site will default to the restaurant class code in MGO Chapter 35. If you have questions about restaurant-class sewer charges, please contact Megan Eberhardt at 266-6432 or Meberhardt@cityofmadison.com.
10. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
11. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the City Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
12. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

City Engineering Division – Mapping Section (Contact Jeff Quamme, 266-4097)

13. The pending Certified Survey Map shall be recorded prior to any City of Madison final approval.
14. The Public Sanitary Sewer Easement to MMSD shall have the document of record referenced on the site plans in the note. The recording information being Document No. 1285353.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

15. Parking requirements for persons with disabilities must comply with MGO Section 28.141(4)(e). Final plans shall show the dimensions of the required accessible stalls including van accessible stalls. An accessible stall is a minimum of 8 feet wide with a 5-foot striped access aisle. A van accessible stall is a minimum of 11 feet wide with a 5-foot wide striped access aisle or 8 feet wide with an 8-foot wide access aisle. Show the required signage at the head of the stalls.
16. Per Table 28I-3 Off-Street Parking Requirements, the minimum automobile parking requirement for a reception hall is 15% of the capacity of persons and the parking maximum is 40% of the capacity of persons. Verify the capacity for the proposed reception hall. The Zoning Administrator may approve an increase of up to 20 automobile parking spaces above the maximum requirement. Per section 28.141(6)(c), an application for a Parking Adjustment to exceed the maximum with supporting documentation may be required with the final plan submittal.
17. A bicycle parking reduction is required per Section 28.141(5). The bicycle parking requirement for a reception hall is a minimum of 5% of the capacity of persons. Submit a request for a bicycle parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. Provide a detail of the model of bike rack to be installed.
18. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
19. Per Sections 28.142(3)(c) and 28.142(4)(e), planting beds or planted areas must contain at least 75% vegetative cover mulched. Mulch shall consist of shredded bark, chipped wood or stone installed at a minimum depth of two (2) inches. If stone is used, it shall be spread over weed barrier fabric.
20. Provide screening for the exterior HVAC equipment. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district, as viewed from six (6) feet above ground level. Screening may consist of a building wall or fence and/or landscaping as approved by the Zoning Administrator. Submit a detail of the proposed screening.
21. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.

Traffic Engineering Division (Contact Sean Malloy, 266-5987)

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| 22. The applicant shall work with the City of Madison and City of Fitchburg to install curve warning signage on Larsen Road and E. Clayton Road. |
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23. 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; vision triangles; 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.

24. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
25. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
26. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
27. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.
28. Secure parking facility. This is usually done with continuous six-inch curb, timbers, pre-formed wheel stops, guardrail erected at a height of 18 inches or fencing of sufficient strength to act as a vehicle bumper.

Fire Department (Contact Bill Sullivan, 261-9658)

29. The events center shall comply with all requirements of the International Building Code and International Fire Code.

Water Utility (Contact Adam Wiederhoeft, 266-9121)

This project is located outside Madison Water Utility's service area.

Metro Transit (Contact Tim Sobota, 261-4289)

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

Parks Division (Contact Sarah Lerner, 261-4281)

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

City Forestry Section (Brad Hofmann, 267-4908)

30. 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 prior to the start of construction. Tree protection specifications can be found in Section 107.13 of the *City of Madison Standard Specifications for Public Works Construction*. 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.”