



## Report to the Plan Commission

June 7, 2010

**Legistar I.D. #18688**

**102 North Randall Avenue**

**Demolition Permit and Conditional Use Alteration**

Report Prepared By:

Kevin Firchow, AICP

Planning Division

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**Requested Action:** Approval to demolish a one-story commercial building for the purpose of expanding an adjacent outdoor recreation area, beer garden, and parking lot and for the Stadium Bar.

**Applicable Regulations & Standards:** Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Section 28.12 (12) provides the guidelines and regulations for the approval of demolition permits.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the project meets the applicable demolition and conditional use standards and **approve** both the request for the demolition of the commercial building at 102 North Randall Avenue and the request for a conditional use alteration for the amended site plans to allow the proposed future use (an expanded outdoor recreation area, beer garden, and parking lot and for the Stadium Bar.) This recommendation is subject to the recommended conditions and the input provided at the public hearing.

### Background Information

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**Applicant / Contact:** Jim Luedke; 612 West Main Street; Madison, WI 53703

**Property Owner:** McJingles, LLC; 612 West Main Street; Madison, WI 53703

**Proposal:** The applicant proposes to demolish an existing one-story commercial building for the purpose of expanding an adjacent outdoor recreation area, beer garden, and parking lot and for the Stadium Bar.

**Parcel Location:** The parcel is an approximately 3,165 square foot parcel located at the intersection of North Randall Avenue and Monroe Street. This parcel is located within Aldermanic District 5 and the Madison Metropolitan School District.

**Existing Conditions:** The subject building is a one-story commercial structure, previously utilized as a laundromat. The building is set at the rear (western) edge of the property with a small amount of surface parking located along the street frontage. The site is entirely impervious. The applicant has provided interior and exterior photographs further documenting the condition of the building and further discussion is contained within the body of this report.

**Surrounding Land Use and Zoning:** The subject site is opposite University-owned open space adjacent to Camp Randall Stadium. This open space is zoned R5 (General Residence District) with the stadium zoned PUD-SIP (Planned Unit Development- Specific Implementation Plan). Multi-family residential properties, zoned R5 and PUD-SIP are located on the east side of Randall Avenue.

**Adopted Land Use Plan:** The Comprehensive Plan recommends neighborhood mixed use for this area. The Regent-South Campus Neighborhood Plan recommends community mixed use development for this property.

**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:** The property is zoned C3 (Highway Commercial District)

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	18,270 sq. ft.
Lot width	50'	Adequate
Front / Side yard	0	Adequate
Rear yard	10	Adequate
Floor area ratio	3.0	Less than 1
Site Design	Required	Proposed
Number parking stalls – tavern + outdoor serv area (fix.seats) + outdoor serv area (no fix.seats) 2 volleyball 3 volleyball beer garden events	80 existing restaurant (266 cap) 93 (266 cap + 44 outdoor eating) 119 (266 cap + 132 outd. eating) 93 93 0	23 (Existing C.U.) 23 (Existing C.U.) 23 (Existing C.U.) 7 0 0
Accessible stalls	1	1
Loading	n/a	n/a
Number bike parking stalls	3, 0	7, 3, 0
Landscaping	Yes	Per MGO 28 (See Comment #27 )
Lighting	No	(See Comment # 28 )
Other Critical Items:	Barrier free (ILHR 69)	

Approved Occupancy of the property per MFD	
Tavern:	266 persons
Tavern + outdoor eating area with fixed seats:	310 persons
Tavern + outdoor eating area without fixed seats:	398 persons
Beer garden:	2,416 persons

*Information Prepared by Pat Anderson, Assistant Zoning Administrator*

### **Analysis, Evaluation, & Conclusion**

The applicant, the Stadium Bar and Grill, requests approval to demolish an existing one-story commercial building for the purposes of expanding and reconfiguring their existing parking lot, outdoor recreation, and beer garden areas. As such, this request requires the approval of both a demolition permit and a conditional use alteration for the proposed site plan changes.

The subject property is a small, triangular-shaped parcel under 3,200 square feet in area at the intersection of North Randall Avenue and Monroe Street. The subject building is set at the rear (western) edge of the property with four (4) surface parking stalls located along the street frontage. The site is currently entirely impervious.

The existing one-story commercial structure was previously utilized as a laundromat. Planning Division staff have not conducted a formal inspection of the structure. Interior and exterior pictures of the building are included with the applicant's materials and are available for online viewing from the following link: [http://www.cityofmadison.com/planning/projects/reports/102nra\\_photos.pdf](http://www.cityofmadison.com/planning/projects/reports/102nra_photos.pdf). These photos indicate the building is vacant and that interior and exterior renovations and improvements are likely necessary, though no information has been provided to indicate the building is not structurally sound nor capable of being rehabilitated. Staff believe there would be limited economic feasibility in relocating this particular structure. The City's Acting Preservation Planner has reviewed this request and did not raise objections to the proposed demolition. She further notes that no comments were raised by the Landmarks Commission when they were notified of this demolition request.

The proposed future use is to expand the parking lot, outdoor recreation area, and beer garden of the adjacent Stadium Bar and Grill. Both the subject property and the "Stadium Bar" property (1419 Monroe Street) are now under common ownership.

There are four (4) proposed site plans included in Plan Commission packet, reflecting the different approvals previously granted to the Stadium Bar. These include a "parking lot" site plan, plans for two (2) and three (3)-court seasonal volleyball, and a "Beer Garden" plan. While the plans have been somewhat reconfigured to make use of the expanded site, no new uses, additional beer garden days, or amended operating conditions are requested in this proposal. Additionally, the maximum beer garden capacity is not proposed to increase. This information is specified in the applicant's letter of intent.

In considering the proposed parking lot plan, the enlarged site provides six (6) additional parking stalls for the Stadium Bar and Grill, increasing their parking count from 23 to 29 stalls. This is a net increase of two (2) stalls when considering the existing parking now allowed on both properties. The parking lot plan would only apply at times when either the beer garden or seasonal volleyball plans are in not effect, typically during the winter months.

Several of the other alterations would be common to all site plans. Upon removal of the commercial building, a decorative monument sign would be provided at the Monroe Street and North Randall Avenue intersection. The sign is 10 feet in height and sits within a stone veneer base. As noted in the applicant's materials, this monument sign would replace the two existing signs, including a pole sign that now sits near the intersection. A decorative metal fence with masonry columns would frame the balance of the corner frontage and surround much of the site. Plans also show the removal of the existing curb cut on North Randall Avenue.

The "nose" of the site (in front of the sign) includes decorative textured paving. A detail of this feature should be provided for Planning Division staff approval. While the addition of pervious materials was originally considered, the applicant noted and staff concurred, that it is unlikely that grass or other small plantings would do well in that area due to the heavy foot traffic around this corner. As an alternative, staff believe there is an opportunity to increase the size of the planting area behind the sign to add additional pervious area.

The applicant has also proposed to create new pervious planting areas along the perimeter of the site. This would provide a significant landscape improvement compared to the small movable planters

approved on the current Stadium Bar plans. The proposed beds would be between six (6) and eight (8) feet in width and line the Monroe Street and North Randall Avenue frontages. Staff estimate that approximately 150 square feet of pervious area would be added.

The beds would be covered in shredded hardwood bark mulch and include a variety of relatively low deciduous plantings. The proposed species are typically hardy. The largest of the plantings would include the four (4) Callery Pear trees that would frame both the proposed sign and the North Randall Avenue driveway. Staff believe it would be desirable to add another Callery Pear (or other larger planting) along the Monroe Street frontage. Other larger plantings include the three (3) serviceberry trees proposed adjacent to the site driveway and the Monroe Street access gate. These would be planted at a height of four (4) feet. Staff request a clarification as to whether these would be in tree or shrub form. Larger plantings may be desirable based on these details and the relationship with other plantings. The addition of more significant screening vegetation is not recommended because of the Fire Department's need to have visibility into operating beer gardens.

Considering the large number of patrons present during "game day beer gardens", staff recommend that the beds be separated by at least a six-inch curb to provide some protection of the plantings. Staff also recommend that temporary fencing be provided during beer garden operation to further protect beds adjacent to beer garden areas open to the public. Fencing should be chain link or other material that does not limit visibility into the beer garden. A decorative metal fence with masonry columns would line the outer edge (sidewalk-side) of these beds. A detail of this fence labeling materials should be provided for staff approval.

Staff also recommend the following plan clarifications to ensure consistency with the previously approved conditional use. One recommendation is to remove the "Seating Area" labels from the volleyball site plans. This notation was not included on the current plans and suggests a change to the existing operation. As stated in the applicant's materials, no operational changes are proposed.

Another recommended clarification is to clearly label the year-round outdoor seating area adjacent to the building, consistent with the previous conditional use approval. Capacities of this area are listed on the previously approved plans (44 persons with fixed seating and 132 with non-fixed seating) and should also be labeled. Other details provided on the previously approved plans, including the portable restroom location, should be provided on the "Beer Garden" plan for approval by staff.

Staff also recommend that the speaker and light fixture detail be provided for approval by staff. The demolition plan indicates that these will be replaced.

Finally, staff recommend a condition clarifying that all of the previously approved conditions relating to management and operation stated in the March 24, 2009 approval letter shall still apply. That letter is attached for the Plan Commission's reference.

Staff believe the applicable conditional use and demolition standards can be met. While it is unusual to support the demolition of a building for the purpose of expanding a parking lot, staff believe that on balance, the demolition of this particular one-story commercial building and the installation of the proposed improvements would result in an aesthetic improvement over the current condition. Additionally, the improvements appear to allow for improved function of the beer garden while not increasing its capacity. The proposal is not inconsistent with adopted land use plans and would not preclude future redevelopment of this block as recommended in Regent-South Campus Neighborhood Plan.

## **Recommendations 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 that the project meets the applicable demolition and conditional use standards and **approve** both the request for the demolition of the commercial building at 102 North Randall Avenue and the request for a conditional use alteration for the amended site plans to allow the proposed future use (an expanded outdoor recreation area, beer garden, and parking lot for the Stadium Bar.) This recommendation is subject to the recommended conditions and the input provided at the public hearing.

1. That approval of this demolition permit and conditional use alteration does not increase the permitted capacity or change the operating terms of the beer garden or other conditional use approvals.
2. The previously approved conditions in the March 24, 2009 approval letter shall still apply. Note that the new ornamental fence depicted in the current plan set would replace the ornamental fence described in condition 28, which has not been built.
3. That all improvements shown on the approved plans be implemented prior to the first UW home football game in 2010.
4. That the applicant revises the landscape plan for Planning Division staff approval. The revised landscape plan shall:
  - a) Enlarge the planting area behind the sign. Modifications to the proposed plantings shall be approved by staff. This will require the relocation of the bike rack for the volleyball site plans.
  - b) Provide a six-inch curb to separate the perimeter planting beds from the parking lot/outdoor recreation area. Temporary fencing should be provided during beer garden operation to further protect beds adjacent to beer garden areas open to the public. The fencing should be chain link or other material that does not limit visibility into the beer garden.
  - c) Clarify whether the proposed serviceberry trees are in tree or multi-stem shrub form. Based on these details and relationship with other plantings, staff may require a larger planting size from that proposed.
  - d) Provide an additional Callery Pear (or other larger planting) along the Monroe Street frontage.
5. That the applicant provides fencing details for staff approval that clearly indicate the proposed materials.
6. That the applicant provides details on the proposed textured pavement for staff approval.
7. That the applicant provides details on the proposed speakers and light fixture and for staff approval.

8. That the applicant clarifies the proposed site plans for staff approval as follows:
- a) The "Seating Area" labels from the volleyball site plans shall be removed. This notation was not included on the previously approved plans and suggests an operational change. As stated in the applicant's materials, no operational changes are proposed.
  - b) The year-round outdoor seating area adjacent to the building shall be clearly labeled on all plans, consistent with the previous conditional use approval. The previously approved capacities (44 persons with fixed seating and 132 with non-fixed seating) should also be labeled.
  - c) The location of all other site features, including portable toilets, shall be labeled on the beer garden plan, for staff approval.

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

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

9. Any damage to the Monroe Street or North Randall Avenue pavement will require restoration in accordance with the City's Patching Criteria.
10. This site has a history of washouts from a sand pit volleyball in summer. Details shall be provided on control plans for erosion and drainage as this time of year.
11. Inlet filter detail referenced is not provided.
12. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
13. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
14. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
15. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle) off of new paved surfaces.
16. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement. (POLICY)
17. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg)

Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.), e) right-of-way lines (public and private), f) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words "unplatted", h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

18. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
19. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
20. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. (POLICY) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

**Traffic Engineering Division** (Contact John Leach, 267-8755)

21. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
22. The driveway approach shall be so designed so as not to violate the City's 10 ft sight triangle requirement on both sides of the approach shall have no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 24 inches and 10 feet above the curb level or its equivalent within the triangle space. The applicant shall revise site plans accordingly.
23. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and

handholes, including labor, engineering and materials for both temporary and permanent installations.

24. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

25. Meet applicable building/fire codes for the additional outdoor capacity and for ingress and egress of the establishment with the areas and uses for the site. Note - Capacity for the beer garden is 2,416 persons.

26. Beer garden site plan shall be in effect as outlined in 1998 uniform operating conditions letter.

27. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances.

28. If outdoor lighting is provided, it must comply with City of Madison outdoor lighting standards.

29. 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 Scott Strassburg, 261-9843)

30. When the tent is up, the capacity for the area occupied by the tent, tent stakes and tent support ropes shall be based upon 7 sq ft per person.

31. Capacity in open areas without encumbrances may be based upon 5 sq ft per person.

32. Total capacity shall not exceed 2,416 persons or as limited by the available exit width.

33. When operating under the Football Plan, capacity shall be maintained by having (1) patron entrance for counting patrons in, and another location for patrons leaving the site being counted out.

34. The property owner is responsible for compliance with the International Fire Code.

35. The property owner is responsible to incorporate the outdoor beer garden into the existing fire safety and maintain it in accordance with the International Fire Code.

36. Staff must be trained and capable of effectively and efficiently evacuating the area in an emergency.

37. Exit and exit width shall be maintained at all times.

38. Outdoor area must be operated and maintained in accordance with approvals.

39. Capacities of indoor and outdoor areas shall not exceed the approved limits.

40. Post capacity sign and directions. Capacity is set at 2,416.

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

41. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is in a Wellhead Protection District. This proposed use is permitted in this district. Any proposed change of use shall be reviewed by the Water Utility General Manager for compliance with the Wellhead Protection Ordinance. 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 will not need a copy of the approved plans.

**Parks Division** (Contact Tom Maglio, 266-6518)

This agency did not submit a response to these requests.

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

This agency did not submit a response to these requests.