

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of October 31, 2007**

RE: ID # 07837: Demolition Permit/ Conditional Use Application – 3051 E. Washington Avenue

1. Requested Actions: Approval of a demolition permit and conditional use to allow a restaurant with drive-up service window to be demolished and a new restaurant with drive-up service window to be constructed at 3051 E. Washington Avenue.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Section 28.09 (3)(d) identifies drive-up service windows as conditional uses in C2 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant & Property owner: Mike Mead, McDonald's Corporation; 5003 N. Cumberland Boulevard; Whitefish Bay.
2. Development Schedule: The applicant wishes to begin construction the site as soon as all approvals have been granted with completion anticipated in spring 2008.
3. Location: Approximately 1.11 acres located at 3051 E. Washington Avenue (US Highway 151) on the south side of E. Washington Avenue generally east of N. Marquette Street and Starkweather Creek; Aldermanic District 15; Urban Design District 5; Madison Metropolitan School District.
4. Existing Conditions: The site is developed with a McDonald's restaurant and drive-up service window located near the center of the site.
5. Proposed Land Use: The applicant proposes to demolish the existing restaurant and build a newer prototype of the restaurant with drive-up along the easterly side property line.
6. Surrounding Land Use and Zoning: The restaurant site is generally located amongst a line of commercial properties located on both sides of E. Washington Avenue in the C2 (General Commercial) and C3 (Highway Commercial) zoning districts. The site is bordered on the immediate east by Wisconsin Auto Title Loans along the E. Washington frontage road and the Salvation Army Community Center on the north side of Darbo Drive. The area south of the site is developed with a single-, two-, and multi-family buildings in R4 (General

Residence District) zoning, with the Easton Square Condominiums located southeast of the site on the south side of Darbo Drive in R5 (General Residence District) zoning.

7. **Adopted Land Use Plan:** The Comprehensive Plan identifies the subject site and other properties on the E. Washington Avenue frontage road for future community mixed-use and transit-oriented development. The site is also located within the Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan, which specifically recommends that the adjacent title loan business and former hotel at 3059 and 3077 E. Washington Avenue, respectively, be redeveloped with commercial office space/retail/mixed-use/restaurant uses. The adjacent recommendation does not appear to apply to the McDonald's site.
8. **Environmental Corridor Status:** The property is not located within a mapped environmental corridor, though the property is separated from Starkweather Creek by the right of way of a former section of Clyde Gallagher Avenue, which will now be used as a bike path.
9. **Public Utilities & Services:** The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the standards for demolition permits and conditional uses.

ANALYSIS, EVALUATION AND CONCLUSION

McDonald's Corporation is requesting approval of a demolition permit and conditional use to allow their existing restaurant with drive-up service window located at 3051 E. Washington Avenue to be demolished and a new restaurant with drive-up window to be built. The subject site is a 1.11-acre parcel zoned C2 (General Commercial District) that currently has access from both a frontage road paralleling E. Washington Avenue (US Highway 151) on the north and Darbo Drive on the south. The right of way of Clyde Gallagher Avenue forms the western property line of the subject site, with Starkweather Creek just to the west. The property is bordered to the east by a title loan business located along the frontage road and the Salvation Army Community Center, which is located on the north side of Darbo Drive. The area south of the site is residential in character and is developed with a variety of single-, two-, and multi-family buildings located in R4 and R5 zoning, including the Easton Square Condominiums, which are located southeast of the site on Darbo Drive.

The existing McDonald's restaurant on the site is a single-story white-painted brick building with red accents and an asphalt-shingled mansard roof. The approximately 3,500 square-foot building is located in the northwesterly corner of the site, with the existing drive-up service window extending along the easterly side wall. Parking for the site is provided in approximately

80 stalls located generally east, south and west of the building. Access to the site is currently provided by driveways from the E. Washington Avenue frontage road and Darbo Drive.

As part of the reconstruction of E. Washington Avenue, the section of Clyde Gallagher Avenue between E. Washington and Darbo Drive has been discontinued as a through street and is currently being converted into a bike path in conjunction with an overall redesign of the intersection of E. Washington Avenue and N. Marquette Street. The bike path will parallel Starkweather Creek and be carried over E. Washington by a pedestrian overpass currently being constructed between the creek and subject site. The southern landing of the overpass will be located adjacent to the subject site. In addition to the repurposing of Clyde Gallagher Avenue, the E. Washington Avenue reconstruction project also calls for the closure of the frontage road along the front of the subject site, which will result in the site only having vehicular access from Darbo Drive.

The new, approximately 4,560 square-foot restaurant proposed to replace the current facility will be situated along the northeasterly property line, with seating for 74 persons inside. The proposed one-story building will be constructed with a two-toned brick and cultured stone exterior with an arched painted metal roof covering the portion of the building closest to E. Washington Avenue. Parking for the new restaurant will be provided in 36 spaces located southwest and southeast of the building. The site plan for the new restaurant has been designed to accommodate the single driveway access to the site from Darbo Drive. The drive-up service window for the new restaurant will be located along the easterly side wall, with a divided drive-up queue containing two menu boards and ordering positions located southeast of the new building that is intended to expand the capacity of the drive-up business. A bypass lane adjacent to the drive-thru lanes will facilitate circulation of customer and delivery vehicles around the building.

The applicant has provided a selection of pictures of the interior and exterior of the building to be demolished and staff has conducted a windshield survey of the site. The existing building appears to be in average condition for a building of its age, and the Planning Division has no information that would indicate that the building is not structurally sound or capable of being rehabilitated or repaired. However, staff believes that the proposed redevelopment of the property allows this site to continue to be economically productive for the foreseeable future and should substantially comply with the demolition standards. Staff believes that the new restaurant and site are well designed and that the project represents a positive investment along this portion of the E. Washington Avenue corridor.

The proposed development also responds to the City's desire to reduce the length of the E. Washington frontage road, which may ultimately be removed back to Webb Avenue in the event that the western two-thirds of the block bounded by E. Washington Avenue, Rosemary Avenue,

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Webb Avenue and Darbo Drive is redeveloped and a new access pattern for the block is implemented. The Schenk-Atwood-Starkweather-Worthington Park Neighborhood Plan includes a recommendation that the title loan business and former hotel properties east of the subject site along the frontage road be redeveloped in the future with commercial office space/retail/mixed-use/restaurant uses. While that plan recommendation does not apply specifically to the site, staff does not believe that the proposed restaurant would be incongruous with the type of mixed-use redevelopment encouraged by the neighborhood plan.

The subject site is located in Urban Design District 5, which requires the review and approval of the Urban Design Commission prior to Plan Commission action. The Urban Design Commission reviewed this development at its September 19, 2007 meeting and granted final approval (see attached reports).

A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the demolition and conditional use standards are met and **approve** the demolition of the existing restaurant and drive-up service window and the construction of a new restaurant with drive-up service window at 3051 E. Washington Avenue subject to input at the public hearing and comments from reviewing agencies.