



# City of Madison

## Proposed Conditional Use

Location  
5502 University Avenue

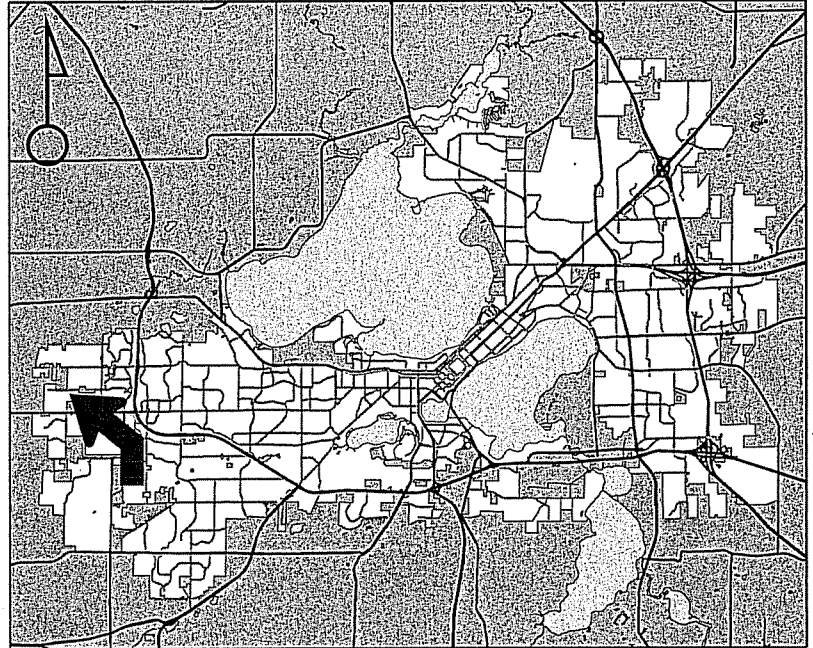
Project Name  
Middleton BBQ Co.

Applicant  
Jed Sanborn/  
Brian Ezman – Middleton BBQ Company

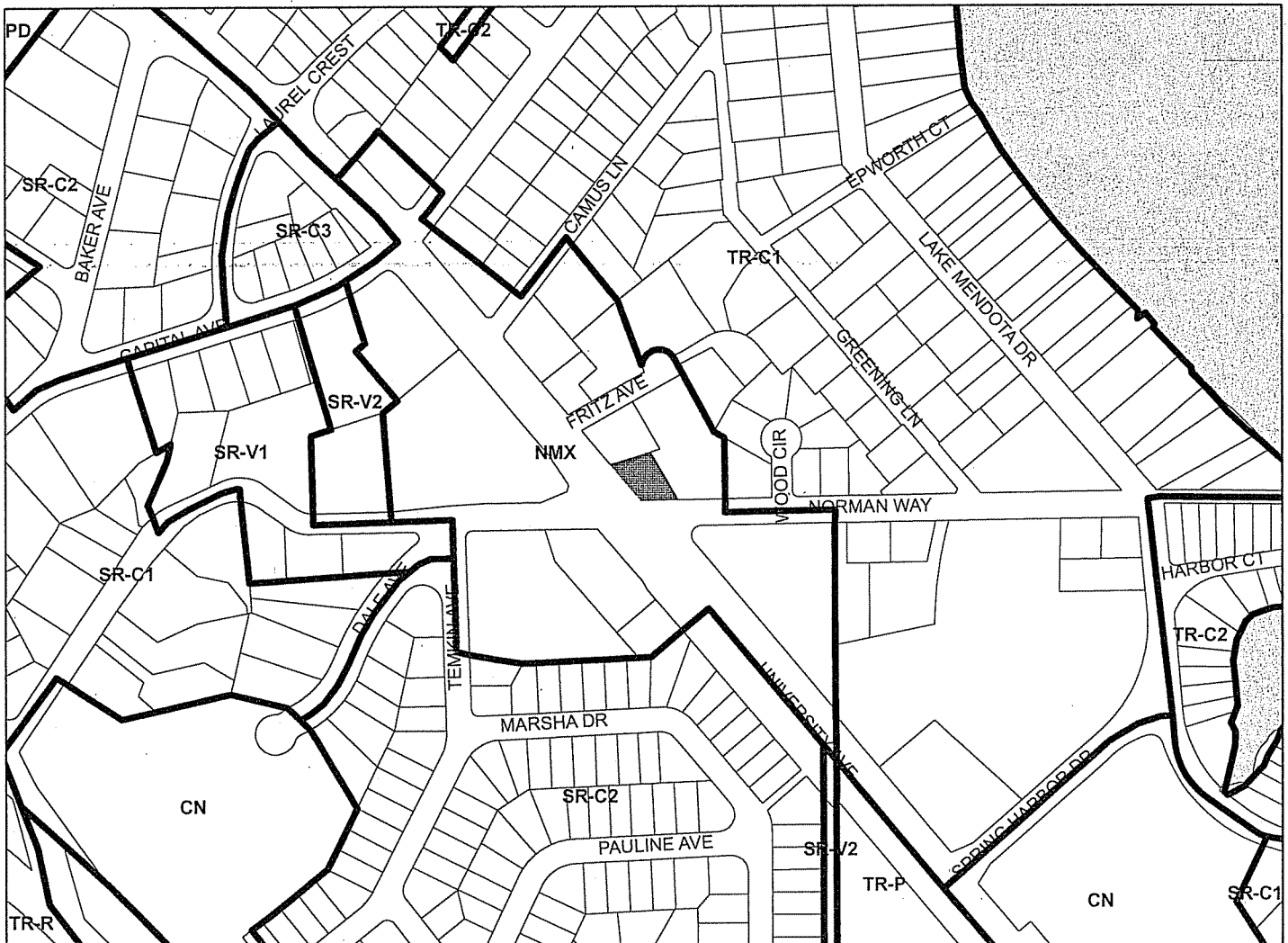
Existing Use  
Restaurant

Proposed Use  
Establish catering business and  
outdoor cooking at existing restaurant

Public Hearing Date  
Plan Commission  
09 June 2014

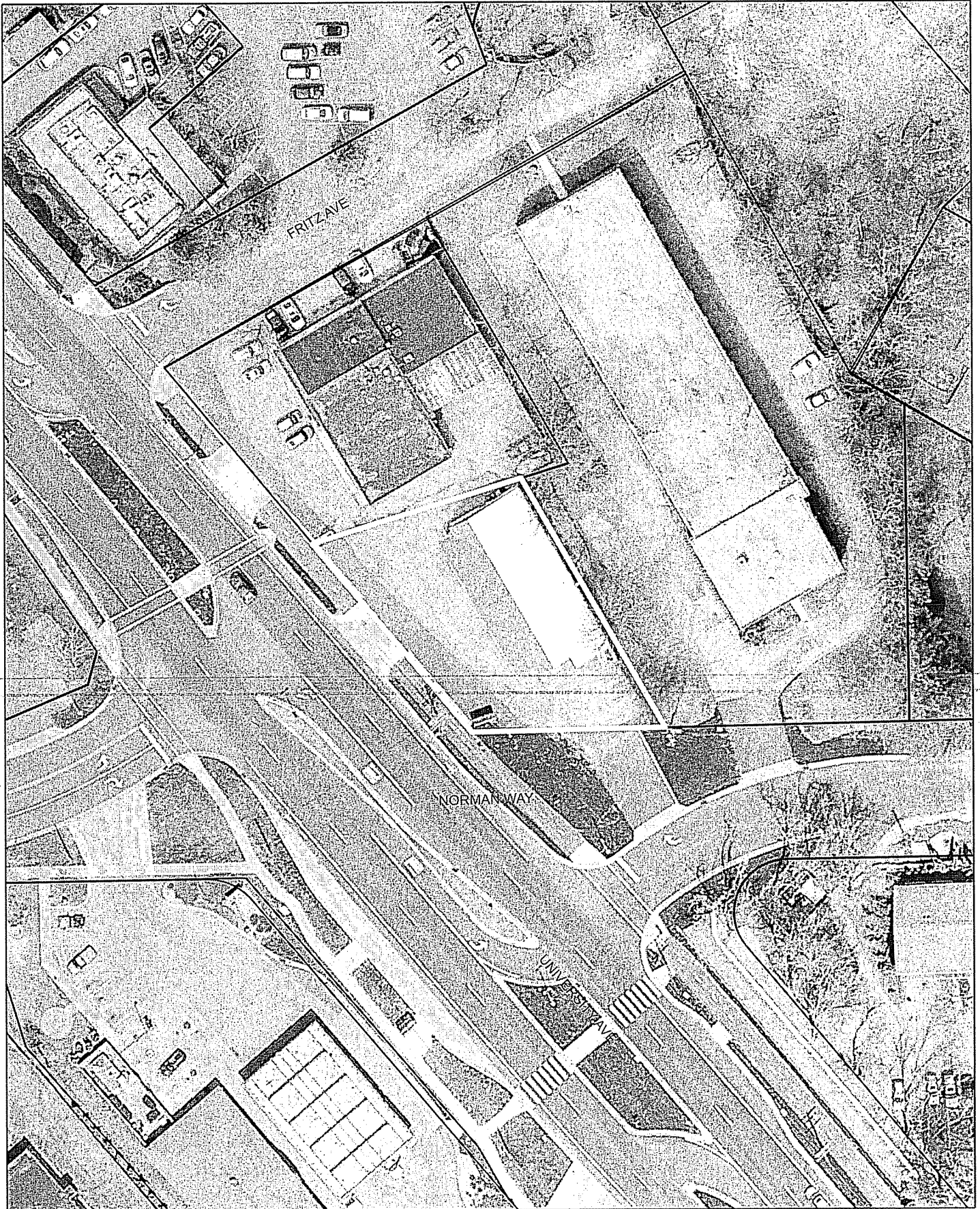


For Questions Contact: Heather Stouder at: 266-5974 or [hstouder@cityofmadison.com](mailto:hstouder@cityofmadison.com) or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 26 May 2014





# LAND USE APPLICATION

CITY OF MADISON

215 Martin Luther King Jr. Blvd; Room LL-100  
PO Box 2985; Madison, Wisconsin 53701-2985  
Phone: 608.266.4635 | Facsimile: 608.267.8739

- All Land Use Applications should be filed with the Zoning Administrator at the above address.
- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed using the Subdivision Application.
- This form may also be completed online at:  
[www.cityofmadison.com/developmentcenter/landdevelopment](http://www.cityofmadison.com/developmentcenter/landdevelopment)

FOR OFFICE USE ONLY:	
Amt. Paid	600 Receipt No. 153527
Date Received	4/23/14
Received By	PDA
Parcel No.	0709-182-1113-0
Aldermanic District	19 MARK CLGAR
Zoning District	NMX
Special Requirements	UDC #6
Review Required By:	
<input type="checkbox"/> Urban Design Commission	<input type="checkbox"/> Plan Commission
<input type="checkbox"/> Common Council	<input type="checkbox"/> Other: _____

Form Effective: February 21, 2013

1. Project Address: 5502 University Ave, Madison  
 Project Title (if any): Middleton BBQ Co. Outdoor cooking/catering CUP

2. This is an application for (Check all that apply to your Land Use Application):

- Zoning Map Amendment from \_\_\_\_\_ to \_\_\_\_\_
- Major Amendment to Approved PD-GDP Zoning       Major Amendment to Approved PD-SIP Zoning
- Review of Alteration to Planned Development (By Plan Commission)
- Conditional Use, or Major Alteration to an Approved Conditional Use Outdoor Cooking / Catering
- Demolition Permit
- Other Requests: \_\_\_\_\_

### 3. Applicant, Agent & Property Owner Information:

Applicant Name: Brian Ezman Company: Middleton BBQ Company  
 Street Address: 4336 Rock Crest Rd. City/State: Middleton WI Zip: 53562  
 Telephone: 608 3160105 Fax: ( ) Email: middletonbbq@gmail.com  
 Project Contact Person: Same as above Company: \_\_\_\_\_  
 Street Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: ( ) Fax: ( ) Email: \_\_\_\_\_  
 Property Owner (if not applicant): JED SAUBORN  
 Street Address: 5502 University Ave City/State: Madison WI Zip: 53705

### 4. Project Information:

Provide a brief description of the project and all proposed uses of the site: Tow portable smoker on site for outdoor cooking. Limited uses - seasonal only.  
 Development Schedule: Commencement N/A Completion N/A  
No changes to current property or structure

## 5. Required Submittal Information

All Land Use applications are required to include the following:

**Project Plans** including:\*

- Site Plans (fully dimensioned plans depicting project details including all lot lines and property setbacks to buildings; demolished/proposed/alterd buildings; parking stalls, driveways, sidewalks, location of existing/proposed signage; HVAC/Utility location and screening details; useable open space; and other physical improvements on a property)
- ~~Grading and Utility Plans (existing and proposed)~~
- ~~Landscape Plan (including planting schedule depicting species name and planting size)~~
- ~~Building Elevation Drawings (fully dimensioned drawings for all building sides, labeling primary exterior materials)~~
- ~~Floor Plans (fully dimensioned plans including interior wall and room location)~~

Provide collated project plan sets as follows:

- ~~Seven (7) copies of a full-sized~~ plan set drawn to a scale of 1 inch = 20 feet (folded or rolled and stapled)
- 32 • ~~Twenty Five (25) copies~~ of the plan set reduced to fit onto 11 X 17-inch paper (folded and stapled)
- ~~One (1) copy~~ of the plan set reduced to fit onto 8 ½ X 11-inch paper

For projects requiring review by the **Urban Design Commission**, provide **Fourteen (14) additional 11x17 copies** of the plan set. In addition to the above information, all plan sets should also include: 1) Colored elevation drawings with shadow lines and a list of exterior building materials/colors; 2) Existing/proposed lighting with photometric plan & fixture cutsheet; and 3) Contextual site plan information including photographs and layout of adjacent buildings and structures. The applicant shall bring samples of exterior building materials and color scheme to the Urban Design Commission meeting.

**Letter of Intent: Provide one (1) Copy per Plan Set** describing this application in detail including, but not limited to:

- |   |  |  |
|---|--|--|
| • Project Team ✓                                | • Building Square Footage ✓                          | • Value of Land ✓  |
| • Existing Conditions ✓                         | • Number of Dwelling Units ✓                         | • Estimated Project Cost ✓   |
| • Project Schedule ✓                            | • Auto and Bike Parking Stalls ✓                     | • Number of Construction & Full-<br>Time Equivalent Jobs Created ✓ |
| • Proposed Uses (and ft <sup>2</sup> of each) ✓ | • Lot Coverage & Usable Open<br>Space Calculations ✓ | • Public Subsidy Requested ✓                                       |
| • Hours of Operation ✓                          |  |  |

**Filing Fee:** Refer to the Land Use Application Information & Fee Schedule. Make checks payable to: *City Treasurer*.

**Electronic Submittal:** All applicants are required to submit copies of all items submitted in hard copy with their application as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or by e-mail to [pcapplications@cityofmadison.com](mailto:pcapplications@cityofmadison.com).

**Additional Information** may be required, depending on application. Refer to the Supplemental Submittal Requirements.  
*Pictures (3)*

## 6. Applicant Declarations

**Pre-application Notification:** The Zoning Code requires that the applicant notify the district alder and any nearby neighborhood and business associations in writing no later than **30 days prior to FILING this request**. List the alderperson, neighborhood association(s), and business association(s) AND the dates you sent the notices:

March 9, 2014 - Alder Mark Clear, Spring Harbor Neighborhood Association - March 11, 2014

→ If a waiver has been granted to this requirement, please attach any correspondence to this effect to this form.

**Pre-application Meeting with Staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning and Planning Division staff; note staff persons and date.

Planning Staff: Heather Stouder Date: 4.16.14 Zoning Staff: Pat Anderson Date: 4/16/14

The applicant attests that this form is accurately completed and all required materials are submitted:

Name of Applicant Brian Ezman Relationship to Property: \_\_\_\_\_

Authorizing Signature of Property Owner [Signature] Date 4-26-14

April 21, 2014

Matt Tucker, Zoning Administrator  
Department of Planning and Development  
215 Martin Luther King, Jr. Blvd.  
Madison, WI 53701

Mr. Tucker and Members of the Plan Commission:

Please accept this letter of intent in order for me to respectfully apply for two Conditional Use Permits (Outdoor Cooking and Catering) on behalf of the Middleton BBQ Company. The location where I am seeking conditional permitted use is at the Buck's Pizza Restaurant on University Avenue.

Please note that Buck's Pizza and the Middleton BBQ Company are separate businesses that have separate ownership but both currently operate business at the Buck's Pizza location on University Avenue.

I have spoke with a number of the neighboring businesses in the area including Original Pancake House (5518 University Avenue) and Marrakesh Restaurant (5510 University Avenue) and there has been no opposition to the permit application and approval process.

I have also spoke and presented in person to the Spring Harbor Neighborhood Association on March 11, 2014 explaining in detail and providing all board members a copy of the original letter of intent (dated March 10, 2014) and was told directly by the association that they did not have any concerns with me moving forward with the conditional use permit application and approval process.

I have also spoke with and presented the original letter of intent (dated March 10, 2014) to Alder Mark Clear (District 19) with no opposition to the furtherance of the conditional use permit application and approval process.

Letter of Intent:

Conditional Use Permit for Outdoor Cooking  
Conditional User Permit for Catering

Project Team:

Darlene and Brian Ezman  
Middleton BBQ Company  
4336 Rock Crest Road  
Middleton, WI 53562  
608.239.2967  
[middletonbbq@gmail.com](mailto:middletonbbq@gmail.com)

**Location:**

Buck's Pizza  
5502 University Avenue  
Madison  
(Commercial Zoning - NMX - Neighborhood Mixed Use)

**Pre-Applicant Notifications:**

March 9, 2014 - Alder Mark Clear  
March 11, 2014 - Spring Harbor Neighborhood Association

**Pre-Application Meeting with City Staff**

April 16, 2014 - Heather Stouder - Pat Anderson

**Conditions:**

- There will be no structural changes (construction) internally or externally to the building (business) or property as a result of the permit application
- A portable smoker and portable hand wash station will be brought on site only during days that outdoor cooking will take place and will be removed from the premises at any other time - no overnight parking of equipment
- There will be no external storage or parking of additional equipment on the property except for days when outdoor cooking will take place
- There will be no preparation of foods outside the building structure
- There is no schedule for the project completion since no changes to the existing property are taking place
- There is no public subsidy being requested
- There are no construction or full time jobs being created
- There is no cost for the project other than application fees and filing
- There is no changes to building square footage, no dwelling units, and no changes to auto and bike parking stalls
- Outdoor cooking will only occur twelve (12) or less times per calendar year - average of one (1) day per month
- Average duration of outdoor cooking will be ten (10) hours per day between 5:00am and 7:00pm
- Wind will always be a consideration when selecting days to cook outdoor (easterly and westerly winds are most diserable, and will carry any residual odors away from residential areas)
- Saturday and Sunday will also be preferred days for outdoor cooking to prevent any issues with parking or traffic flow within the business parking lot

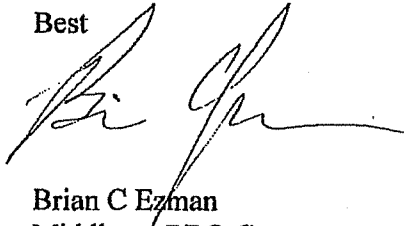
Conditional Use Permit Application and Approval Schedule:

April 23, 2014 - Submit Application Package

June 9, 2014 - Plan Commission Hearing

Thank you for your consideration in the matter. Please do not hesitate to contact me with any questions or requests for additional clarifying information.

Best

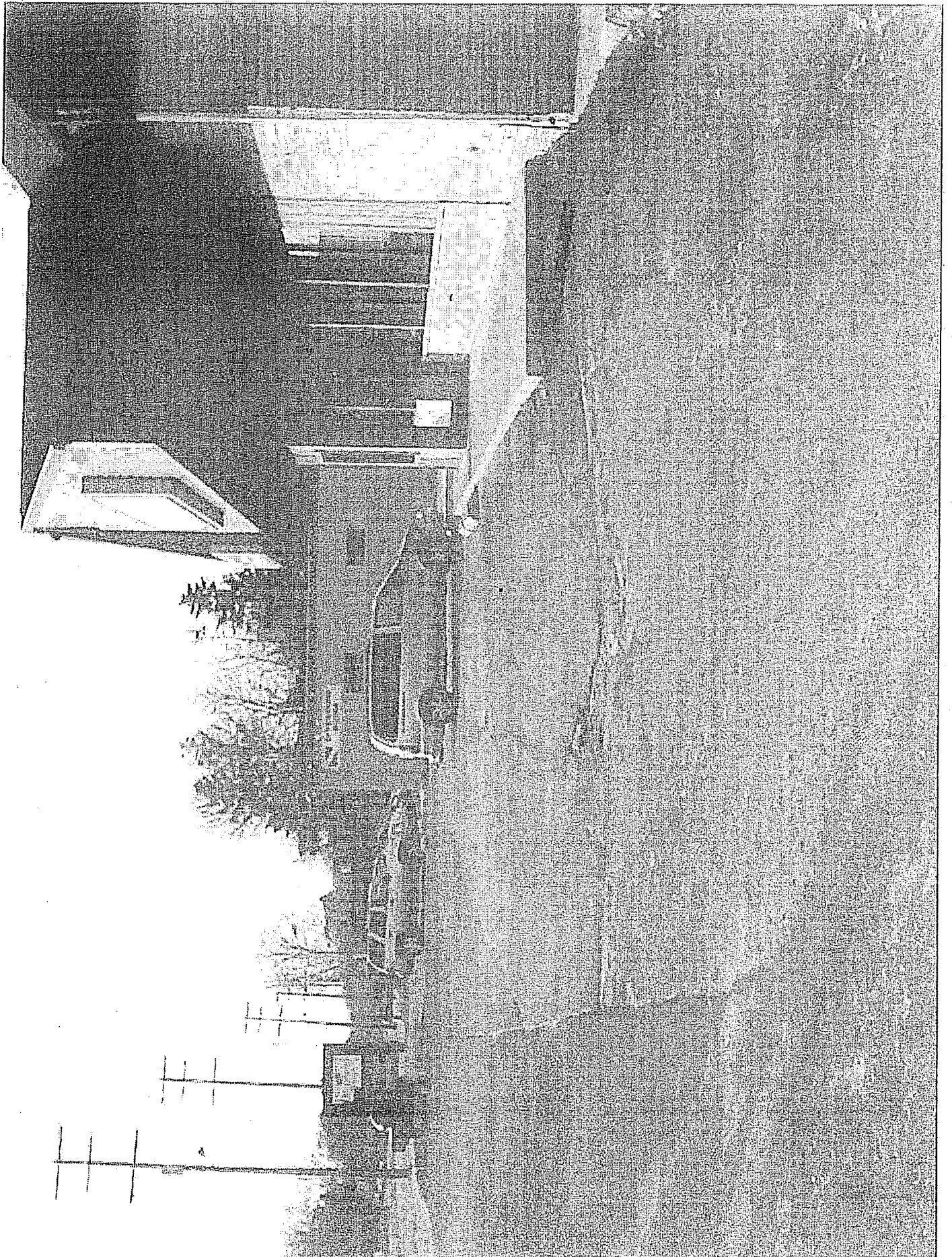
A handwritten signature in black ink, appearing to read "Brian C Ezman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian C Ezman  
Middleton BBQ Company

Cc:

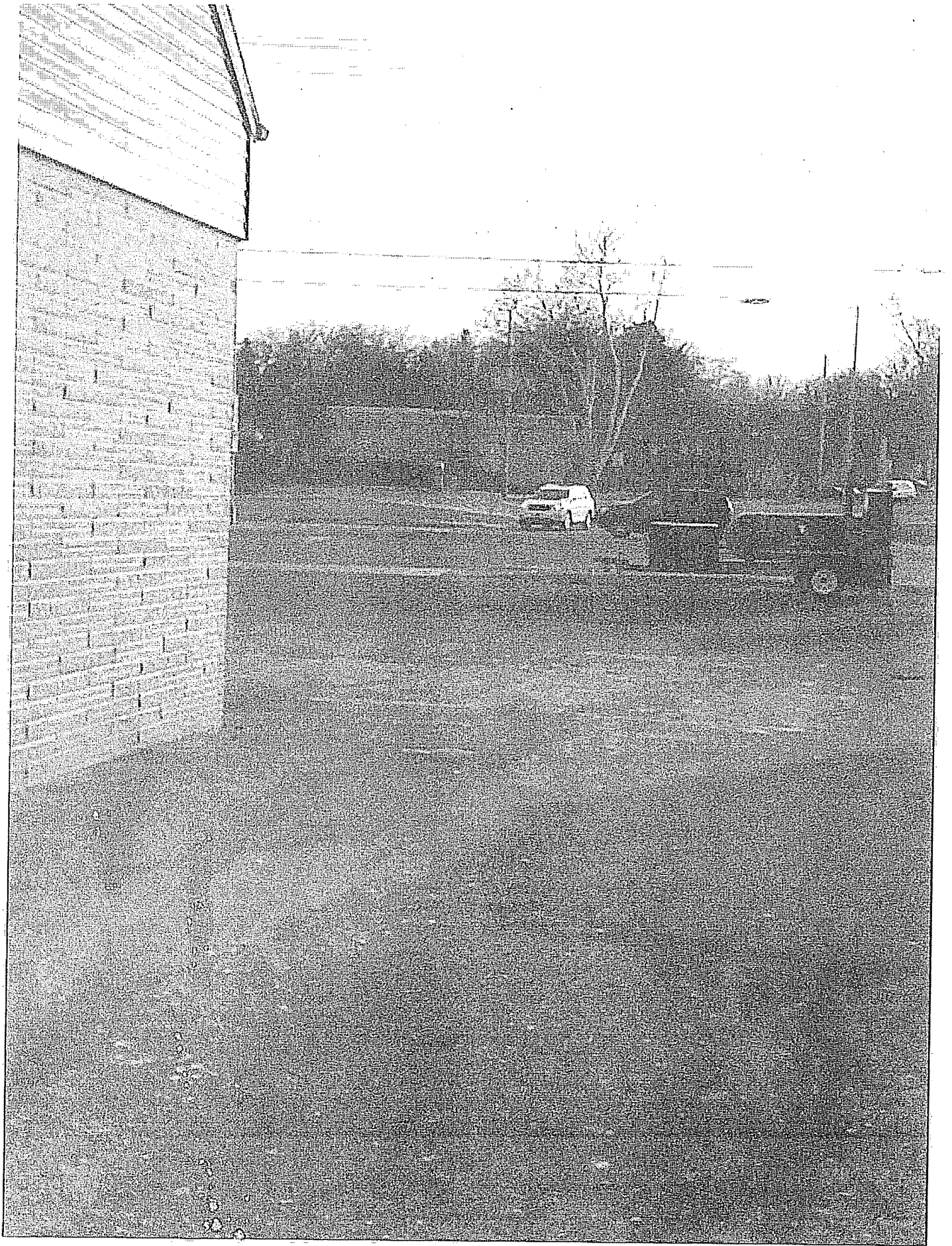
Jed Sanborn

Mark Clear









Middleton BBO Company - CUD Plans May 2014

