



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

April 30, 2021

Roger Smith
Design Coalition Architects
2088 Atwood Avenue
Madison, Wisconsin 53704

RE: 177 S Fair Oaks Avenue – Consideration of a conditional use in the Traditional Employment (TE) District for an outdoor eating area for a restaurant-tavern tenant in a mixed-use building; and consideration of a conditional use in the TE District for outdoor recreation (Brent Mann, Blind Shot Social Club). (LNDUSE-2021-00018; ID 65481)

Dear Roger;

On April 26, 2021, the Plan Commission found the standards met and **approved** your conditional use requests for 177 S Fair Oaks Avenue. Prior to issuance of building or occupancy permits for the outdoor eating and recreations area, the conditions of approval in the following sections shall be satisfied:

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have any questions regarding the following three (3) items:

1. Per the Wisconsin Department of Natural Resources (WDNR) closure letter, this property was closed with residual soil and/or groundwater contamination (BRRTS #02-13-580290 Kessenichs LTD). Written approval from the WDNR is required prior to disturbing the existing barrier cap. Submit copy of WDNR approval letter to Brynn Bemis (608.267-1986, bbemis@cityofmadison.com). If no excavation of pavement is anticipated, this comment does not apply.
2. 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.
3. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the City Engineering Division. E-mail PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following item:

4. In October 2018, there was a tenant build-out request for 175 S Fair Oaks Avenue (Katie West - Oakbrook Corp), splitting the space and creating a 177 S Fair Oaks Avenue. This submittal seems to wall up that entrance and combine that space along with another to the east. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) for the review and approval of the interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for this conditional use for final approval with Zoning. The approved Addressing Plan shall be included in the final application. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following item:

5. The applicant shall secure their site in order to prevent encroachment onto the adjacent public sidewalk.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following two (2) items:

6. Per the supplemental regulations, the site shall be designed in such a way as to minimize the effects of lighting and noise on surrounding properties. Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.
7. The plans as shown include the removal of many surface bike parking stalls from the original site plan approval. Provide detail of all uses on the site in order to verify that sufficient bike parking is provided. Bicycle parking shall be located in a convenient and visible area on a paved or impervious surface within 100 feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the existing or proposed bike racks.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

8. The Madison Fire Department recommends against fire pits in assembly occupancies, especially those serving alcohol. Unless the unit is an enclosed and listed fire place, a separate submittal and approval will be required for the specific design and installation of the fire pit.

Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following item:

9. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the east side of S Fair Oaks Avenue,

north of the railroad tracks (#1353). The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

Please contact my office at 261-9632 if you have questions about the following four (4) items:

10. That the hours of operation for the outdoor eating and recreation area shall be until 10:00 PM as stated in the letter of intent. No service shall occur in the outdoor area after the closing hour on a given day, and patrons may not utilize the outdoor patio area after those hours for smoking or otherwise. In the future, the Director of the Planning Division may consider a minor alteration to the conditional use to further modify the hours of operation for the outdoor eating and recreation area following a recommendation by the district alder.
11. That any doors to the outdoor area remain closed [not be propped open] at all times.
12. Outdoor amplified sound, including from televisions, ambient music, or musical performance, is prohibited.
13. The applicant shall provide the total occupancy (seated and standing) of the proposed outdoor eating and recreation area on the final plans.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining permits for your project:

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to Zoning@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit

is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission’s approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
 Planner

cc: Brenda Stanley, City Engineering Division
 Jeff Quamme, City Engineering Division
 Sean Malloy, Traffic Engineering Division
 Tim Sobota, Metro Transit
 Jacob Moskowitz, Asst. Zoning Administrator
 Bill Sullivan, Madison Fire Department

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

LNDUSE-2021-00018			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro Transit
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: