



# City of Madison

## Conditional Use

Location  
8 North Paterson Street/  
858 East Washington Avenue

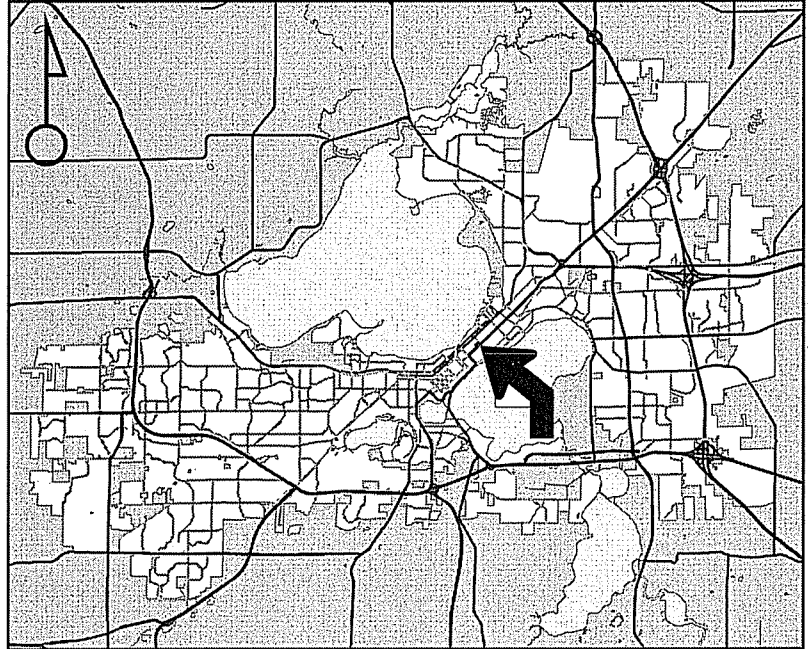
Project Name  
LJ's Sports Tavern & Grill

Applicant  
Otto Gebhardt - The Gebhardt Galaxie, LLC /  
John P. Kavanaugh IV - JK & JK LLC

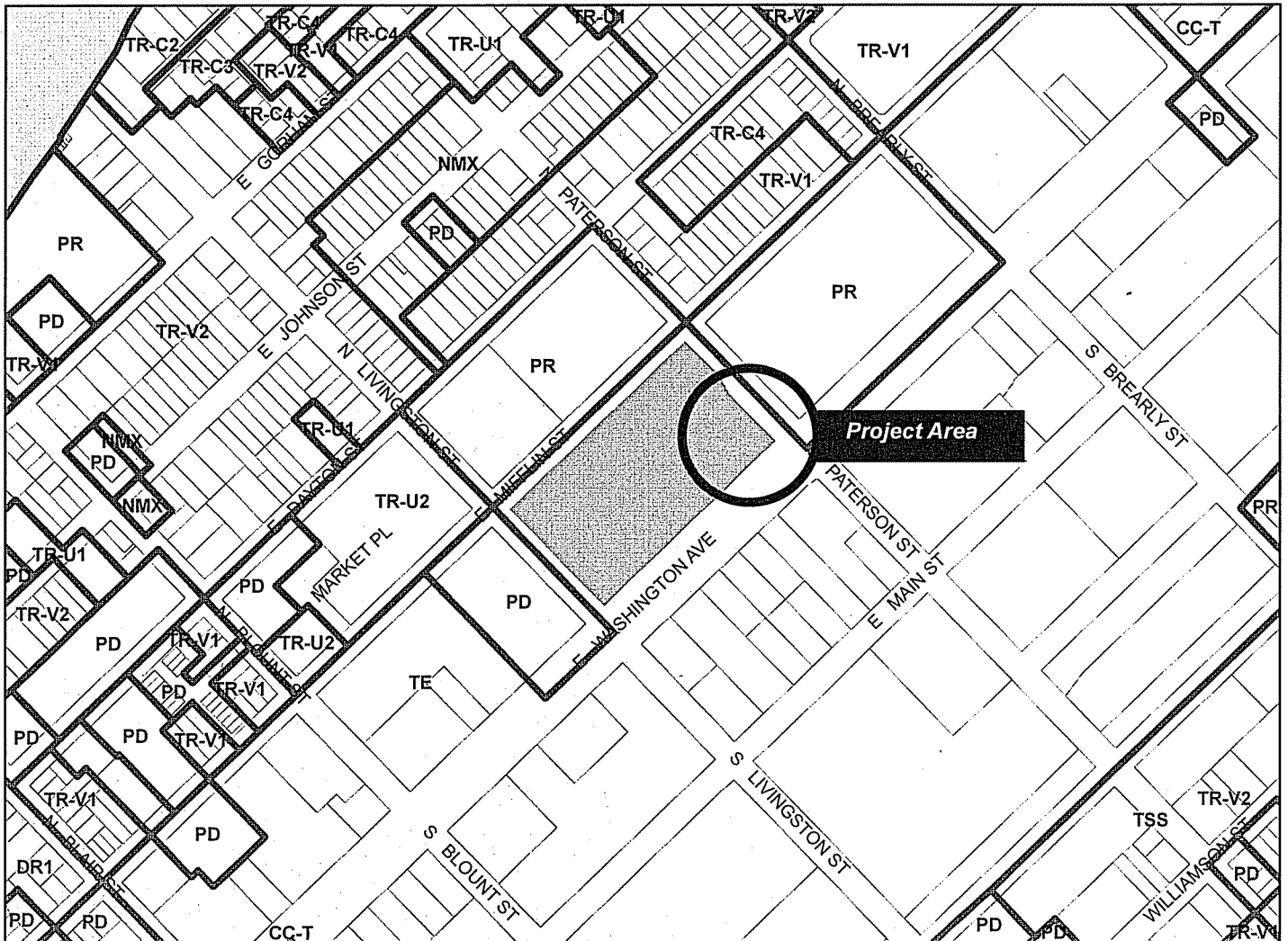
Existing Use  
General Retail - Multi Tenant

Proposed Use  
Construct restaurant-tavern in  
existing mixed-used building with  
outdoor eating area

Public Hearing Date  
Plan Commission  
17 October 2016

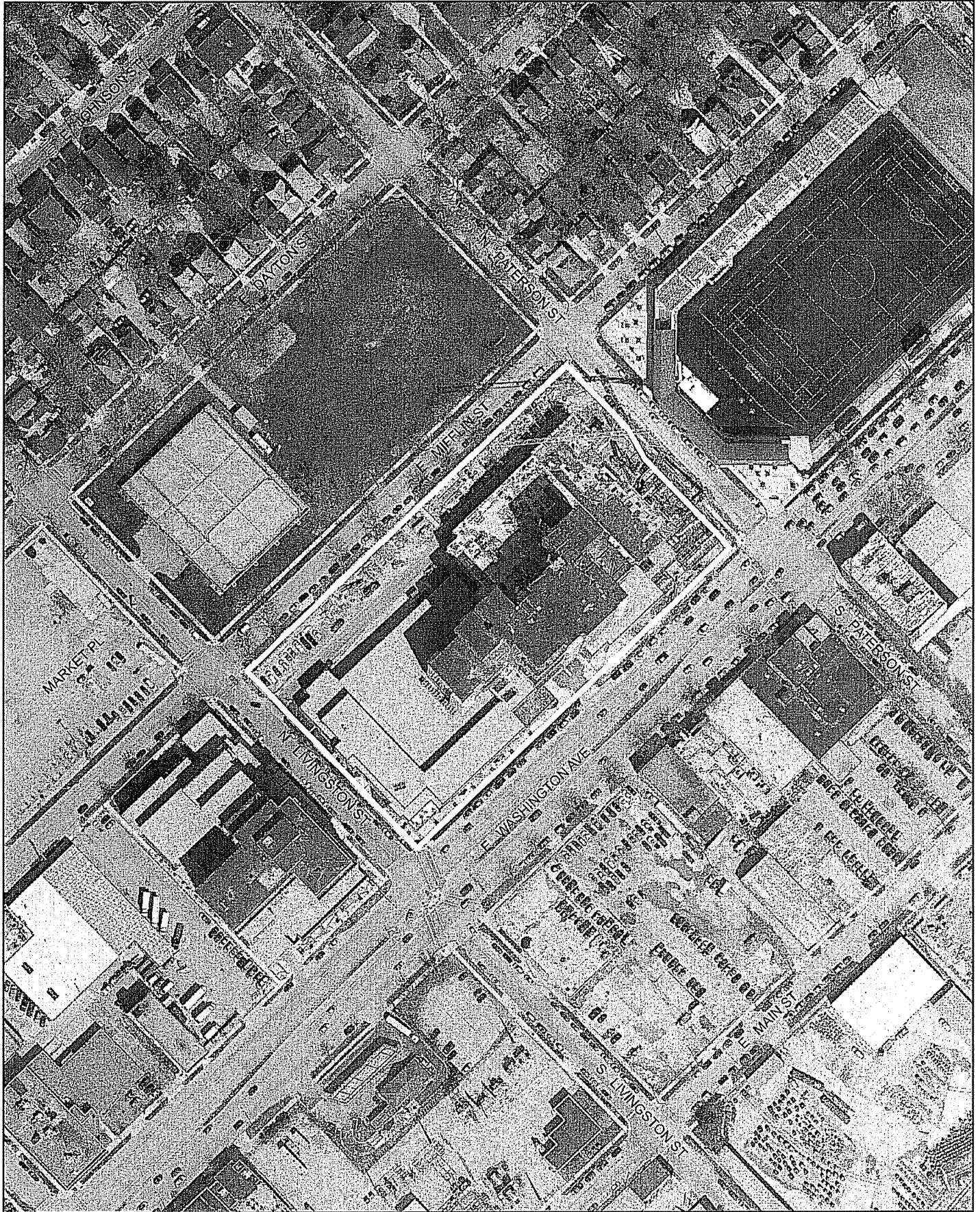


For Questions Contact: Chris Wells at: 261-9135 or cwells@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : PPE : Date : 11 October 2016





# 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 \$1600 Receipt No. 20529-0004  
 Date Received 9/7/16  
 Received By JLK  
 Parcel No. 079-132-2107-7  
 Aldermanic District District 2 - Ledell Zellers  
 Zoning District TE  
 Special Requirements CU, WDD #8, WP-24  
 Review Required By:  
 Urban Design Commission     Plan Commission  
 Common Council                       Other: \_\_\_\_\_

Form Effective: February 21, 2013

LNUSE-2016-00099

1. **Project Address:** 8 North Paterson Street / 858 East Washington Street, Madison WI 53703  
**Project Title (if any):** LJ's Sports Tavern & Grill (JK & JK LLC)

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
- Demolition Permit
- Other Requests: \_\_\_\_\_

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

**Applicant Name:** John P. Kavanaugh IV Company: JK & JK LLC  
**Street Address:** 4110 Carberry Street City/State: Madison, WI Zip: 53704  
**Telephone:** (608) 220-8444 Fax: ( ) Email: ljmcduck@yahoo.com

**Project Contact Person:** Same as above Company: \_\_\_\_\_  
**Street Address:** \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_  
**Telephone:** ( ) Fax: ( ) Email: \_\_\_\_\_

**Property Owner (if not applicant):** Otto Gebhardt / The Gebhardt Galaxie LLC  
**Street Address:** 222 North Street City/State: Madison, WI Zip: 53704

4. **Project Information:**

Provide a brief description of the project and all proposed uses of the site: Build out of commercial location within the Galaxie building for full service restaurant, bar and outdoor patio.

Development Schedule: Commencement 10/1/16 Completion 1/1/17

**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:

- x 32 cop<sup>14</sup>  
11x17
- **Seven (7) copies** of a full-sized plan set drawn to a scale of 1 inch = 20 feet (folded or rolled and stapled)
  - **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-Time Equivalent Jobs Created |
| • Proposed Uses (and ft <sup>2</sup> of each) | • Lot Coverage & Usable Open Space Calculations | • Public Subsidy Requested                                   |
| • Hours of Operation                          |   |  |

**Filing Fee:** Refer to the Land Use Application Instructions & 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.

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

**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:  
Ald. Ledell Zellers (March 31, 2016), Patty Prime (August 31, 2016)

→ 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: Chris Wells Date: 9/2/16 Zoning Staff: Jenny Kirchgatter Date: 9/2/16

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

Name of Applicant John P. Kavanaugh IV Relationship to Property: LLC Owner / Tenant

Authorizing Signature of Property Owner  Date 9/1/16



## LETTER OF INTENT – CONDITIONAL USE PERMIT

### Project Team:

Ownership:

JK & JK LLC

John and Sarah Kavanaugh  
4110 Carberry Street  
Madison, WI 53704  
(608) 220-8444 (Johnny)  
(608) 469-9801 (Sarah)  
[ljmcduck@yahoo.com](mailto:ljmcduck@yahoo.com) (Johnny)  
[sarah.kavanaugh01@gmail.com](mailto:sarah.kavanaugh01@gmail.com) (Sarah)

-and-

James and Patricia Kinney  
1405 Warrior Lane  
Madison, WI 53704  
(608) 630-7636 (James)  
(608) 469-5890 (Patricia)  
[Jkinney35@yahoo.com](mailto:Jkinney35@yahoo.com) (James)  
[Pkinney53@gmail.com](mailto:Pkinney53@gmail.com) (Patricia)

Building Owner:

The Galaxie  
The Gebhardt Galaxie, LLC  
c/o Colonial Property Management  
Attn: Otto Gebhardt  
222 North Street  
Madison, WI 53704

Project Team:

Role	Name	Contact Information
Buildout	Capital Builders	Dan Wanke 6400 Gisholt Drive, Suite 105 Madison, WI 53713 (608) 222-9480
Accountant	Ray Petkovsek, CPA Peter H. Gremmer, CPA/MBA	Petkovsek & Moran, LLP 4001 Nakoosa Trail, Suite 200 Madison, WI 53714-1355 (608) 221-3268 <a href="mailto:peter@pmcpas.com">peter@pmcpas.com</a>
Lawyer	Kenneth R. Sipsma	Steinhilber Swanson Resop & Sipsma 122 W. Washington Avenue, Suite 850 Madison, WI 53703 (608) 709-5990 <a href="mailto:ksipsma@swansonresop.com">ksipsma@swansonresop.com</a>
Restaurant Start-Up Expert	Kevin Kavanaugh	Kavanaugh's Restaurant Supply 2920 Bryant Road Madison, WI 53713 (608) 271-8514
Interior Design	Silver Leaf Design Gallery	301 North Sherman Avenue Madison, WI (608) 242-0707

**Existing Conditions:**

The Galaxie, a mixed use project located at 810-858 East Washington Avenue, Madison, Wisconsin to be constructed in two (2) phases including residential, office, retail, grocery store and parking structure.

The property will be delivered to JK & JK LLC in the following condition:



## Exhibit C

### Landlord's Work

**FLOOR SLAB:** Landlord shall deliver the Premises without the floor slab completed to enable Tenant to install Tenant's required plumbing and electrical, finished with gravel base to +/- 1" of finished subgrade. Tenant shall complete a 4" thick floor slab as part of Tenant's Work, completed to Landlord's specifications for the Commercial Building.

**STOREFRONT/WINDOWS:** Aluminum storefront with fixed natural anodized aluminum frames with low-e insulated glass (if Tenant desires any operable windows, may be installed at Tenant's expense).

**WALLS:** Walls shall be constructed using 6" metal studs @ 16" on center. Tenant shall be responsible for insulating and all wall finishes, completed in compliance with all Laws including, but not limited to, required vapor barriers, insulation and drywall.

#### **DOORS & FRAMES:**

1. Door to common corridor if available: Solid core wood door with hollow metal frame.
2. Door to exterior: Natural anodized aluminum door and frame with full vision glass.
3. Door to parking/mechanical area: Hollow metal door and hollow metal frame.

**PLUMBING AND GAS SYSTEMS:** Landlord shall provide sanitary, water and gas risers in a central location within the first floor of the Commercial Building and shall stub sanitary, water and gas to the perimeter of Premises.

**HVAC SYSTEMS:** Water source heat pump loop piping will be stubbed to the Premises. Tenant will be responsible for water source heat pump units, fresh air ducting and all distribution of ductwork. Tenant will be required to use Capitol Mechanical Inc to perform the final cleaning and connection of their units into the loop system. Please consider including them in the full proposal/bidding process.

**ELECTRICAL:** 200 Amp service, 120/208V, service panel located on the rear wall wired from panel to service entry.

**LIGHTING:** No Lighting will be provided, except for code-required exterior emergency egress and site lighting, as well as that which is currently installed and considered temporary for unfinished/construction purposes.

**TELEPHONE/INTERNET SERVICE:** A conduit with pull string will be provided from demarcation point to rear of Premises. Charter Cable is available in the building and Charter will provide wiring to the Premises if requested.

**SPRINKLER SYSTEM:** Landlord will install fire protection system in accordance with applicable Laws to meet minimum life safety requirements provided, however, Landlord-provided fire protection layout and components to be based upon vacant Premises without consideration of Tenant's Permitted Use or occupancy or inclusion of any Tenant improvements or installations that will be required for Tenant's Permitted Use or occupancy (Tenant shall be responsible for any additions or modifications required as a result of Tenant improvements/installations and Permitted Use.) For areas with suspended ceilings, sprinkler heads to be semi-recessed pendant type complete with white escutcheon. For areas without a ceiling, the heads are to be standard up-turned sprinkler heads.

**Project Schedule:**

WEEK 1: Underground plumbing work  
WEEK 2: Underground electrical work  
WEEK 3: Pour concrete floor  
WEEK 4: Interior wall framing  
WEEK 5: Rough HVAC, plumbing, and electrical work in walls and ceilings  
WEEK 6: Finish rough mechanical work, rough inspections, and insulation  
WEEK 7 and 8: Drywall hanging, finishing and texture, ceiling painting  
WEEK 9: Tile floor install, concrete floor finish  
WEEK 10 and 11: Interior door and trim install, cabinet install, wall paneling  
WEEK 12: Start equipment install, interior painting, hardware install  
WEEK 13: Countertop install, final plumbing work, final electrical and HVAC work  
WEEK 14: Final items and inspections

**Proposed Uses:**

Full service restaurant and sport's bar with outdoor patio seating.

**Hours of Operation:**

Monday – Friday: 11:00 a.m. – bar time  
Saturday - Sunday: 9:00 a.m. – bar time

**Unit Square Footage:** 4,530 rentable square feet / 4,226 useable square feet

**Auto Parking Stalls:** 660 total. 4 designated for project ownership. Free parking on 2<sup>nd</sup> and 3<sup>rd</sup> floor of parking structure for commercial patrons.

**Estimated Project Cost:** \$779,000

**Number of Construction and Full-Time Equivalent Jobs Created:**

Construction: 35-40  
Restaurant and Bar: 25-30

**Public Subsidy Requested:** None.



**Outdoor Eating Area:**

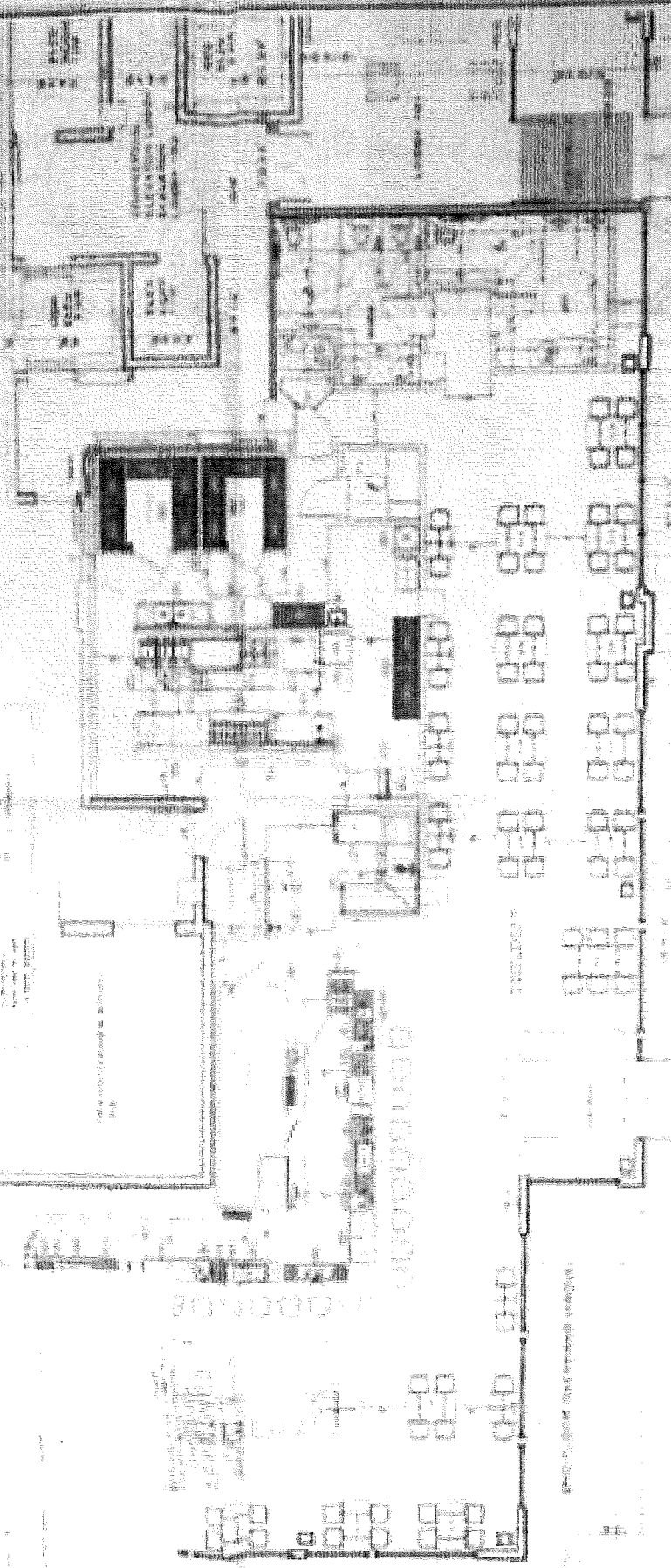
Operational details: Patio will be open during seasonal months. Hours of operation will be in accordance with City of Madison liquor license rules and regulations. The total proposed occupancy will be 130 inside and 40-50 outside (seated and standing). The area will be separated from parking areas and sidewalks with a barrier that meets with the requirements of the City of Madison liquor license rules and regulations.



Law Offices of Kenneth A. Smith  
and David M. Weinstein Attorneys

KAYAKUBU  
100-1000

K



Legend

1	Office
2	Conference Room
3	Reception
4	Restroom
5	Storage
6	Break Room
7	Staircase
8	Elevator
9	Entrance
10	Corridor
11	Storage Room
12	Janitor's Closet
13	Mail Room
14	Server Room
15	Conference Room
16	Office
17	Office
18	Office
19	Office
20	Office
21	Office
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100	Office

Scale: 1/8" = 1'-0"

Notes:

1. All dimensions are in feet and inches.
2. All walls are 1/2" thick unless otherwise noted.
3. All doors are 36" wide unless otherwise noted.
4. All windows are 48" wide unless otherwise noted.
5. All electrical outlets are 15A, 20A, or 30A unless otherwise noted.
6. All lighting is recessed unless otherwise noted.
7. All ceiling is 8' high unless otherwise noted.
8. All floor is 4" concrete on 6" aggregate unless otherwise noted.
9. All stairs are 8" wide unless otherwise noted.
10. All elevators are 48" wide unless otherwise noted.
11. All restrooms are 6' x 8' unless otherwise noted.
12. All storage rooms are 6' x 8' unless otherwise noted.
13. All break rooms are 10' x 12' unless otherwise noted.
14. All conference rooms are 12' x 14' unless otherwise noted.
15. All offices are 10' x 12' unless otherwise noted.
16. All corridors are 4' wide unless otherwise noted.
17. All entrances are 48" wide unless otherwise noted.
18. All mail rooms are 6' x 8' unless otherwise noted.
19. All server rooms are 10' x 12' unless otherwise noted.
20. All janitor's closets are 6' x 8' unless otherwise noted.
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100. All janitor's closets are 6' x 8' unless otherwise noted.





Sarah Kavanaugh <sarah.kavanaugh01@gmail.com>

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## Galaxie

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**jim Kinney** <jkinney35@icloud.com>

Tue, Mar 1, 2016 at 4:45 PM

To: district2@cityofmadison.com

Cc: pkinney53@gmail.com, sarah.kavanaugh01@gmail.com, ljmcduck@yahoo.com

Alder Ledell Zeellers

We are in negotiations with Key Commercial Real Estate, LLC to put in an upscale sports bar on the corner of Patterson and E. Washington in the Galaxie Building. Two couples are going in as partners and we have all lived here all of our lives. The one couple is the 3rd generation of a famous restaurant on the north side of Madison. Would you anticipate any reason why we would not be granted a liquor license?

Sent from my iPad



Sarah Kavanaugh &lt;sarah.kavanaugh01@gmail.com&gt;

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**LJ's Sports Tavern & Grill**

---

**Lee Christensen** <lee@gebhardtdevelopment.com>

Wed, Aug 31, 2016 at 8:18 AM

To: Patty Prime &lt;pprime@gmail.com&gt;, "Zellers, Ledell" &lt;district2@cityofmadison.com&gt;

Cc: johnny kavanaugh &lt;ljmcduck@yahoo.com&gt;, Sarah Kavanaugh &lt;sarah.kavanaugh01@gmail.com&gt;, Kyle Dumbleton &lt;kyled@midwestmodern.com&gt;

Patty,

We are proud to announce that we have signed a lease with LJ's Sports Tavern & Grill for the corner restaurant space in the Galaxie. The restaurant will be run by Johnny & Sarah Kavanaugh along with their partners Jim & Patricia Kinney, they are all long time East sider's having run Kavanaugh's Esquire Club most recently. The restaurant/tavern and outdoor seating will require a conditional use from the Plan Commission and we want to get them moving as quickly as possible.

Could we get them on the agenda for the September 8th neighborhood meeting and request a waiver of the 30 day notice period? We would like to submit for the conditional use on the September 7th which would put them at the Plan Commission on October 17th.

Given that the intended use of the corner space was intended to be a restaurant/tavern in the initial submittal we hope this use being a locally owned and operated restaurant will be well received by the neighborhood.

Thanks for your consideration.

Regards,

Lee Christensen  
Development Manager  
Gebhardt Development  
lee@gebhardtdevelopment.com  
(608) 209-7568



Lee Christensen &lt;lee@gebhardtdevelopment.com&gt;

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## LJ's Sports Tavern & Grill

---

Patty Prime &lt;pprime@gmail.com&gt;

Thu, Sep 1, 2016 at 1:53 PM

To: Lee Christensen &lt;lee@gebhardtdevelopment.com&gt;

Cc: "Zellers, Ledell" &lt;district2@cityofmadison.com&gt;, johnny kavanaugh &lt;ljmcduck@yahoo.com&gt;, Sarah Kavanaugh &lt;sarah.kavanaugh01@gmail.com&gt;, Kyle Dumbleton &lt;kyled@midwestmodern.com&gt;

Lee,

Given the city committee dates, that's ok with me, pending Ledell's approval as well. Patty

On Wed, Aug 31, 2016 at 1:51 PM, Lee Christensen &lt;lee@gebhardtdevelopment.com&gt; wrote:

Patty, would you consider waiving the 30 day notice period just to apply for the conditional use? We just need that so we can submit on 9/7 to be at Plan Commission on 10/17. They will have to come back for the liquor license once this is approved which would really be the item I would think the neighborhood would want to have more input into.

Lee Christensen  
Development Manager  
Gebhardt Development  
lee@gebhardtdevelopment.com  
(608) 209-7568

On Wed, Aug 31, 2016 at 9:20 AM, Patty Prime &lt;pprime@gmail.com&gt; wrote:

Lee,

That is exciting news! I can add you to the agenda, no problem. Having said that, as I put the agenda together, it may be a little tight. I'll publish it by Monday and make sure you're copied on it.

Thanks,  
Patty

On Wed, Aug 31, 2016 at 8:18 AM, Lee Christensen &lt;lee@gebhardtdevelopment.com&gt; wrote:

Patty,

We are proud to announce that we have signed a lease with LJ's Sports Tavern & Grill for the corner restaurant space in the Galaxie. The restaurant will be run by Johnny & Sarah Kavanaugh along with their partners Jim & Patricia Kinney, they are all long time East sider's having run Kavanaugh's Esquire Club most recently. The restaurant/tavern and outdoor seating will require a conditional use from the Plan Commission and we want to get them moving as quickly as possible.

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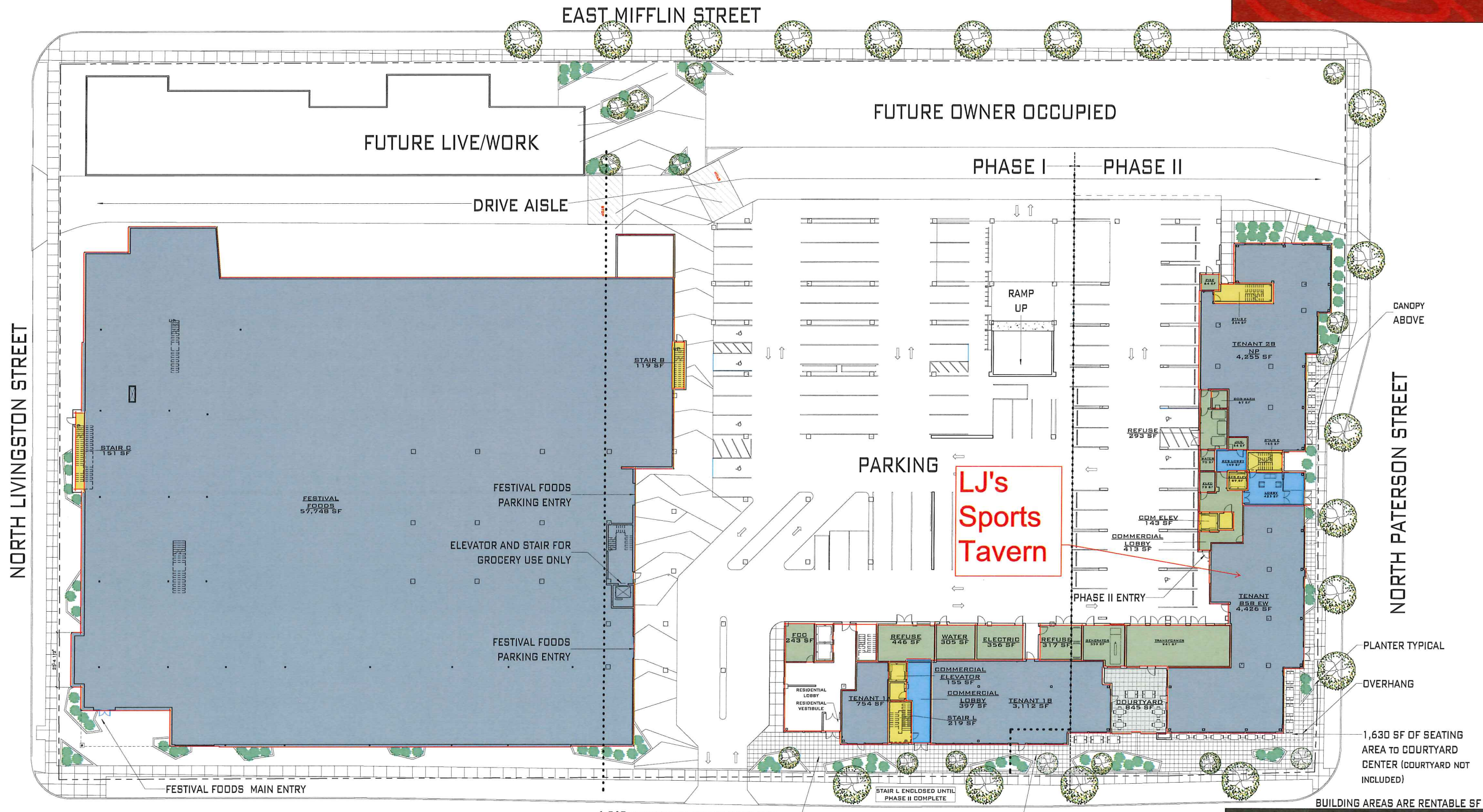
Thanks for your consideration.

Regards,

Lee Christensen  
Development Manager  
Gebhardt Development  
lee@gebhardtdevelopment.com  
(608) 209-7568







NORTH LIVINGSTON STREET

EAST MIFFLIN STREET

FUTURE OWNER OCCUPIED

FUTURE LIVE/WORK

PHASE I

PHASE II

DRIVE AISLE

RAMP UP

PARKING

LJ's Sports Tavern

CANOPY ABOVE

NORTH PATERSON STREET

PLANTER TYPICAL

OVERHANG

1,630 SF OF SEATING AREA TO COURTYARD CENTER (COURTYARD NOT INCLUDED)

FESTIVAL FOODS MAIN ENTRY

1,360 SF OF SEATING AREA TO PHASE LINE

EAST WASHINGTON AVENUE

625 SF OF SEATING AREA BETWEEN COURTYARD CENTER AND PHASE LINE (COURTYARD NOT INCLUDED)

AREA LEGEND

[Green Box]	BUILDING COMMON AREA
[Light Blue Box]	EXTERIOR AREA
[Blue Box]	FLOOR AREA
[Yellow Box]	MAJOR VERTICAL PENETRATION
[Dark Blue Box]	STORE AREA

back DESIGN

GEBHARDT DEVELOPMENT

MIDWEST MODERN

galaxie - PHASE I

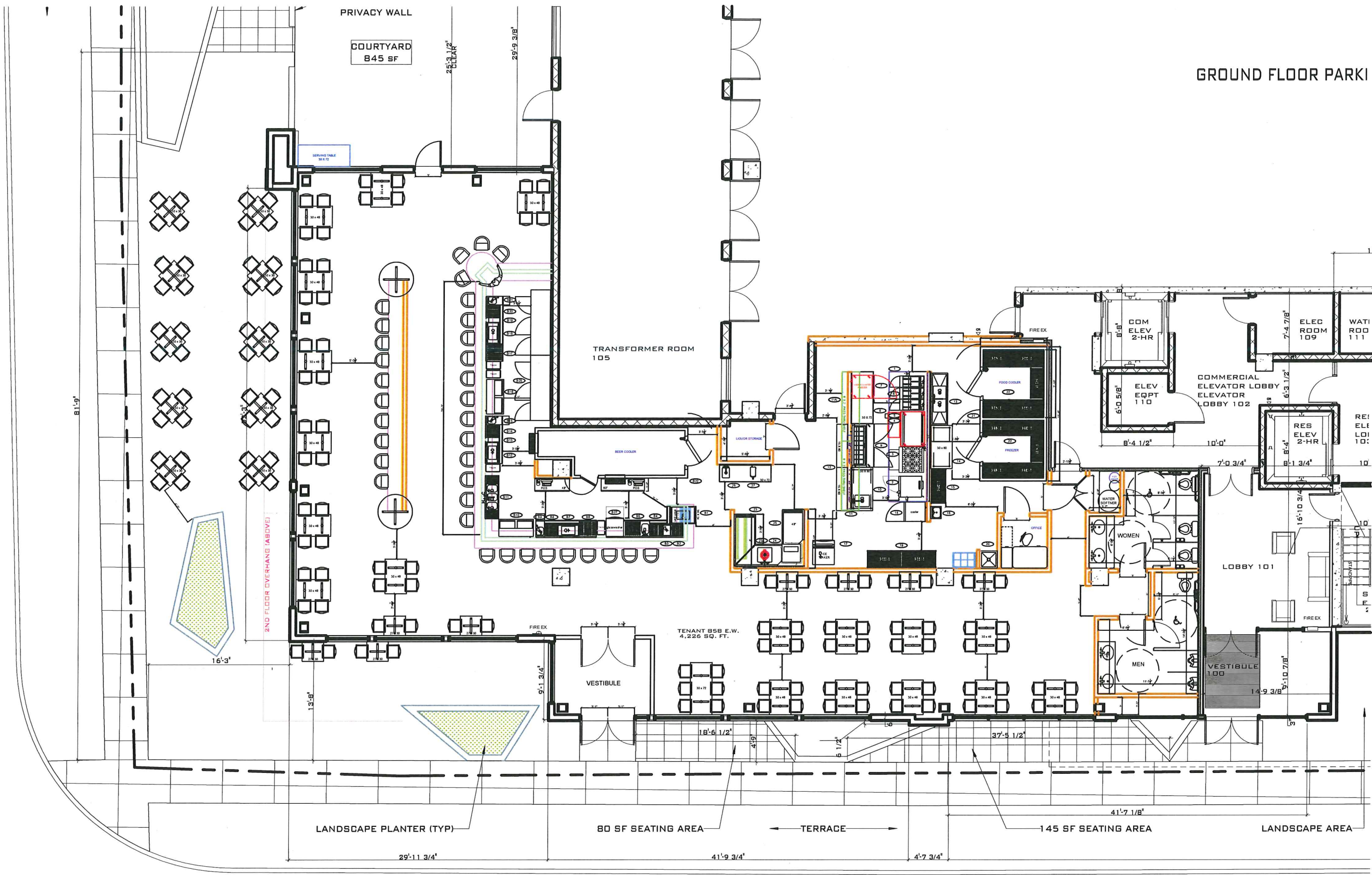
838 EAST WASHINGTON AVENUE, 10 & 20 NORTH PATERSON STREET, PALM BEACH, FL

OVERALL GROUND FLOOR COMMERCIAL PLAN RENTABLE AREA PLAN

DATE: 03.06.16

MKT.I.





GROUND FLOOR PARKI

LJ's SPORTS TAVERN & GRILL  
 (858 East Washington Avenue)  
 FOODSERVICE EQUIPMENT LAYOUT

DATE: 09-07-16  
 SCALE: 3/32"=1'-0"

2920 Bryant Road Madison, WI 53713 608-271-8514  
 All drawings and specifications are property of Kavanaugh Restaurant Supply, Inc. and shall not be used on any other work nor be disclosed to a person for any use whatsoever without written permission. Dimensions to be verified at the job site.

1,630 SF OF SEATING AREA  
 TO COURTYARD CENTER  
 (COURTYARD NOT INCLUDED)

NORTH PATERSON STREET

GENERAL NOTES:  
 NOT FOR CONSTRUCTION

