



City of Madison

Conditional Use

Location
601 North Street

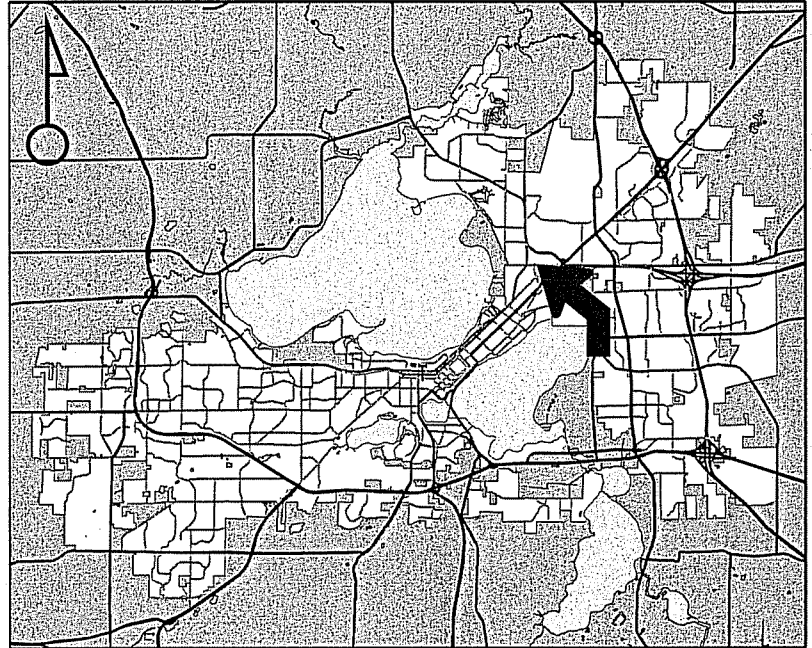
Project Name
Tip Top Tavern Patio

Applicant
Jane Capito/Benjamin Altschul -
Tip Top Tap Inc.

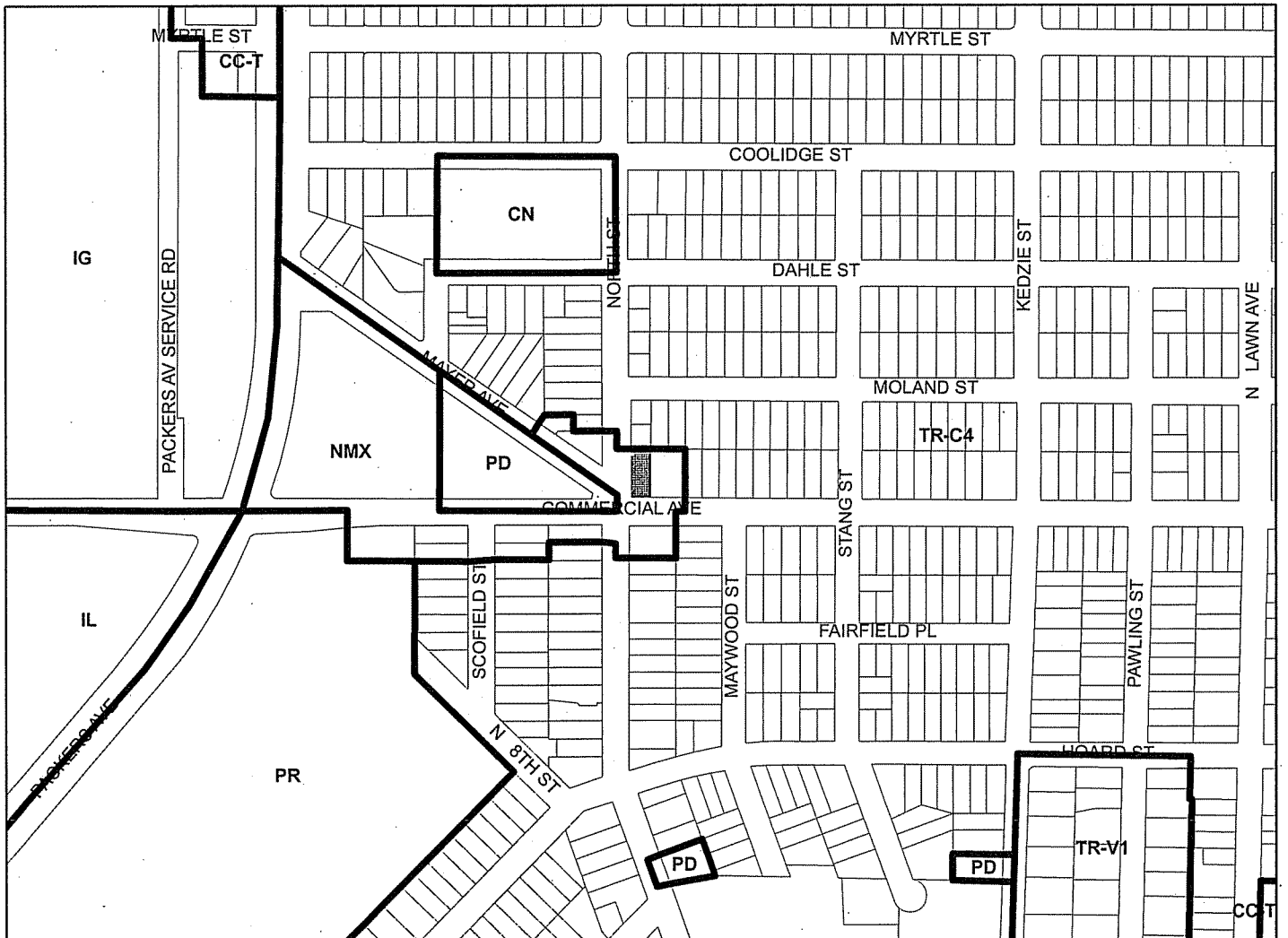
Existing Use
Restaurant-tavern

Proposed Use
Re-approving outdoor eating
area for restaurant-tavern

Public Hearing Date
Plan Commission
07 March 2016



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 29 February 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

FOR OFFICE USE ONLY:	
Amt. Paid	<u>Waived</u> Receipt No. _____
Date Received	<u>1/20/16</u>
Received By	<u>PDA</u>
Parcel No.	<u>0810-314-1903-0</u>
Aldermanic District	<u>12</u>
Zoning District	<u>NMX</u>
Special Requirements	<u>C.V.</u>
Review Required By:	
<input type="checkbox"/> Urban Design Commission	<input checked="" type="checkbox"/> Plan Commission
<input type="checkbox"/> Common Council	<input type="checkbox"/> Other: _____

Form Effective: February 21, 2013

1. **Project Address:** 601 North Street, Madison, WI 53704
Project Title (if any): Tip Top Tavern Outdoor Patio

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: Benjamin Altschul **Company:** Tip Top Tap Inc
Street Address: 601 North Street **City/State:** Madison / WI **Zip:** 53704
Telephone: (608) 209-0961 **Fax:** () **Email:** tiptopbookkeeper@gmail.com / benoldschool@gmail.com

Project Contact Person: Benjamin Altschul **Company:** Tip Top Tap Inc
Street Address: 601 North Street **City/State:** Madison / WI **Zip:** 53704
Telephone: (608) 209-0961 **Fax:** () **Email:** tiptopbookkeeper@gmail.com / benoldschool@gmail.com

Property Owner (if not applicant): Jane Capito
Street Address: 1348 Jennifer Street **City/State:** Madison / WI **Zip:** 53704

4. **Project Information:**

Provide a brief description of the project and all proposed uses of the site: We have an existing patio & will be implementing an array of noise abatement elements.

Development Schedule: Commencement ongoing Completion April 15, 2016

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)~~ *per Matt Tucker 1/12/16*
- 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 1/2 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 ² of each) | • Lot Coverage & Usable Open Space Calculations | • Public Subsidy Requested |
| • Hours of Operation | | |

Filing Fee
WAIVED
Per Matt
Tucker
See email
1/14/16

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:
Eken Park has been informed. Ald. Palm waived 30-day.

→ 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: MATT TUCKER Date: 8/20/15 Zoning Staff: MATT TUCKER Date: 8/20/15

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

Name of Applicant Benjamin Altschul Relationship to Property: Business Owner

Authorizing Signature of Property Owner Jane A. Caputo Date 1-20-16



Conditional Use Letter of Intent

Project Team: Benjamin Altschul (owner/operator Tip Top Tavern)
Jane Capito (property owner 601 North Street)
Ed Linville, of Linville Architects LLC (noise abatement consultant)
Al Rasho (managing partner)
Patti Cross (administrator)

Existing Conditions: Outdoor patio used for dining and seating in 2014 and 2015; 1156 sqft

Previous Approved Conditional Use: Tip Top Tavern Outdoor Patio, 601 North Street, Madison

1. The use of the outdoor seating area by tavern patrons is not allowable after 10 pm
2. There shall be no outdoor amplified sound associated with the outdoor seating area

Proposed Improvements: Noise mitigation enhancements

Project Schedule: Noise mitigation currently underway. Projected completion April 2016

Proposed Hours of Operation: Monday-Saturday 11 am – 10 pm; Sunday 9 am – 10 pm

Building Square Footage: 800 sqft serving area main bar; 250 sqft serving area salon.

Auto and Bike Parking Stalls: Parking area measures 2232 sqft and includes one handicap parking stall, three regular parking stalls and enclosed dumpster corral. Bike parking measures 300 sqft with four city-regulated bike rack parking spaces, 2 ft x 6 ft holding up to eight bikes.

Estimated Sound Mitigation Project Cost: \$5100

The Tip Top Tavern located at 601 North Street includes an outdoor patio (1156 sqft) which is a crucial element of our day to day operation and has been utilized since 2014.

On July 27, 2015, in response to a conditional use violation complaint filed by a neighboring resident, the Planning Commission decided to allow the patio to continue to operate under the then existing conditional use permit with the requirement that the Tip Top do what it could to mitigate noise during operating hours and reapply for its conditional use after December 2015.

The Tip Top is whole-heartedly committed to our neighbor's well-being and the enjoyment of their homes and property. In response to the Planning Commission's ruling, the Project Team met with Matt Tucker, on August 20th to discuss our proposed noise mitigation compliance plans. The meeting was very productive and well received by all participants. Since that meeting, the Tip Top has diligently taken steps both through immediate procedural guidelines and implemented physical alterations to mitigate the level of noise emanating from the patio to the best of our ability.

Immediate Compliance, 2015

- The patio door remains closed at all times – never propped open
- Employees must adhere to the Patio Closing Checklist – no exceptions (see attached checklist)
- No patrons may utilize the patio area after 10 pm – no exceptions
- Wall signage requesting quiet enjoyment of the patio in respect of our neighbors (see attached sample)
- Employees were counseled on the importance of operating the patio in a manner to ensure quiet enjoyment
- Employees have been counseled on appropriate ways to achieve patron cooperation/compliance and ways to adequately deal with unruly and unreasonably loud patrons
- Participate in Eken Park Neighborhood Association meetings and be receptive to comments/concerns

Initial Noise Abatement Measures

- Patio is surrounded by a solid 8' wooden fence with additional 2' of lattice above.
- One-third of patio is roofed with a trellis-covered pergola (northeast corner adjacent to complainant's property). Four fast-growing hop plants planted along fence will eventually cover pergola roof.
- Maple tree planted (early May 2014) in center of patio (see attached site plan). Although currently too small to have an immediate measureable impact, eventually the tree will grow to create a living canopy to cover a majority of the open-air patio area.

Proposed Improvements, 2016

Sound Issue: Tip Top Tavern building's masonry wall bounces sound up and into neighborhood.

Abatement Option: Reduce and/or refract sound through the use of:

- Sound absorbing panels (see manufactures statement attached)
- In addition, a commissioned mural, painted on parachute canvas, will further dampen/refract sound and improve ascetics. Completion of the mural TBD.

Sound Issue: Large open-air area above patio allows sound to carry up into neighborhood.

Abatement Option: Cover or reduce open area:

- 6 Larger, heavier fabric umbrellas positioned at various heights to absorb and/or refract sound

Sound Issue: Fence is currently solid to 8' with additional 2' of lattice above.

Abatement Option: Promote sound absorption or disruption/refraction:

- Install, in an intermittent pattern, sound absorbing panels directly on fence
- Plant vines such as hops, trumpet vine, clematis, along the length to create a living wall to absorb and/or refract sound. Planting to be completed spring 2016.

Open Communication, continual

- Send notice with contact information to all neighbors through Eken Neighborhood Park Association that we are open to suggestions, comments, and other possible solutions that may come to light through feedback from the community.
- Periodically check-in with adjacent neighbors for their continued feedback.
- Continue our dedication to having a positive impact on, and being an integral part of, the neighborhood and our community.

Benjamin Altschul, Owner, Tip Top Tavern

Remember, nearby the babies might be sleeping -
Please don't wake the babies



Thank you for your cooperation

The Tip Top Tavern has been in existence for over 75 years. And we take great pride in continuing the legacy of being the best serving establishment for our neighborhood. We owe our success to our dedicated staff, customers like you, and the support from our wonderful neighbors and community. Please respect our commitment to our neighbors' well-being and the quiet enjoyment of their homes.



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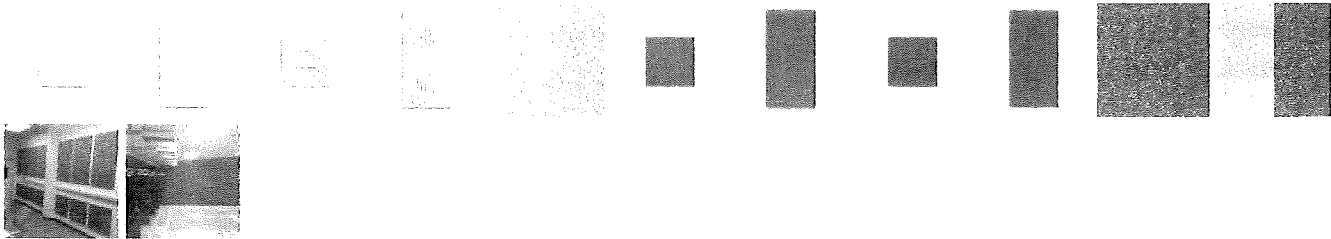
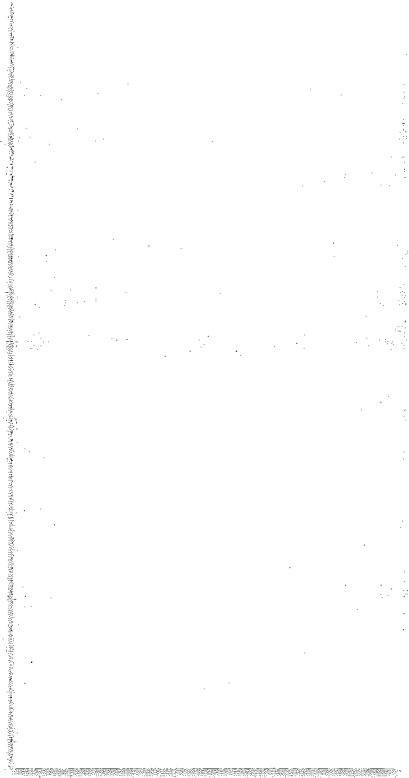
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PolySorp Acoustic Panels



SELECT YOUR OPTIONS

\$462.00-\$992.00

Size : 2' x 4' ▼

Thickness : 2" ▼

Color : White ▼

Pattern : Flat Surface ▼

Box of 7 panels.

QTY

1

TOTAL
\$462.00

SKU: PANPOLYSOR-242W

The PolySorpt™ Acoustic Panels are non-fibrous sound absorbing panels that can be used in a wide variety of indoors or outdoor environments to reduce ambient noise levels and excessive reverberation.

They can be glued directly to any wall or ceiling using a water-based construction adhesive. These acoustical panels are offered in a standard flat surface pattern or a more decorative designer style depending giving you aesthetic options for your sound treatment.

FEATURES:

- Lightweight
- Impact Resistant
- Moisture, bacteria & Fungi resistant
- Tackable surface
- Indoor or outdoor use
- Cleanable

TECHNICAL INFORMATION:

- Material: Porous Expanded Polypropylene (PEPP)
- Size: 2'x4', 23 3/4" x 47 3/4"
- Thickness: 1" (NRC: 0.45), 2" (NRC: 0.70)
- Fire Rating: Class A Per ASTM E84

SOUND ABSORPTION (HZ) TYPE A MOUNT							
Thickness	125	250	500	1000	2000	4000	NRC
1"	0.05	0.06	0.21	0.80	0.65	0.75	0.45
2"	0.07	0.21	0.81	0.85	0.93	0.88	0.70

INSTALLATION METHOD

Adhesive or Mechanical fasteners.

*Note to all Installers: Polysorpt is a thermal molded product and although tough to see one side of the panel will have injection and mold release marks these are circular marks that range in size and indent depth. These marks denote the back side of the panel so panels should be installed with these marks facing the wall or ceiling for best possible aesthetic outcome.

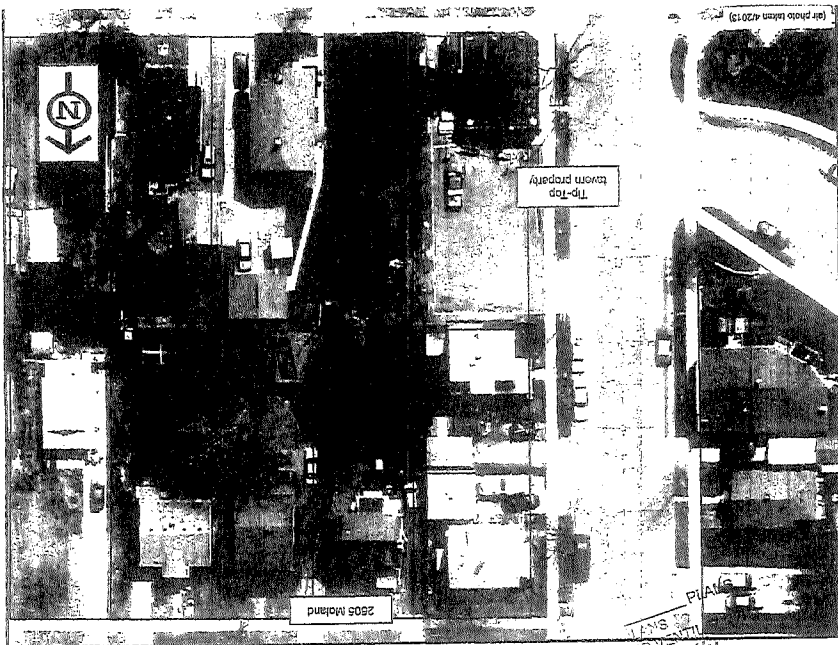
CLEANING & MAINTENANCE

Accumulation of dust and dirt are best removed with a soft brush attachment on a vacuum cleaner. Use vacuum attachments with a least 1" soft brushes to avoid damage to panel. Water & cleaning solutions may be used on panel.

Painting: PEPP may be painted with a very light coat of spray applied latex or Fire Retardant paint without significantly altering acoustic performance.

POLYSORPT ACOUSTIC PANELS			
Flat Surface (White or Charcoal)			
SKU	Size	Pieces per Box	Price per Box
PANPOLYSOR-221	2' x 2' x 1"	28	\$568.00
PANPOLYSOR-222	2' x 2' x 2"	14	\$483.00
PANPOLYSOR-241	2' x 4' x 1"	14	\$568.00
PANPOLYSOR-242	2' x 4' x 2"	7	\$462.00
Designer Surface (White or Charcoal)			
SKU	Size	Pieces per Box	Price per Box
PANPOLYSOR-221D	23-3/4" x 23-3/4" x 1"	28	\$992.00
PANPOLYSOR-222D	23-3/4" x 23-3/4" x 2"	14	\$701.00
PANPOLYSOR-241D	23 3/4" x 47 3/4" x 1"	14	\$894.00
PANPOLYSOR-242D	23 3/4" x 47 3/4" x 2"	7	\$688.00

For more information on our PolySorpt Acoustic Panels, call us at 1-800-782-5742 or contact our sales department.



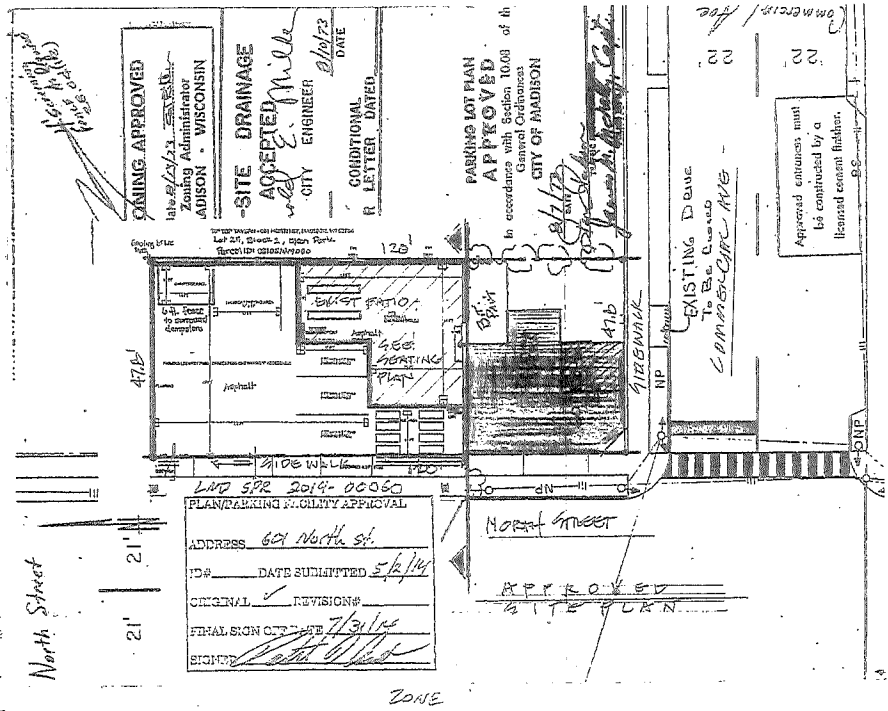
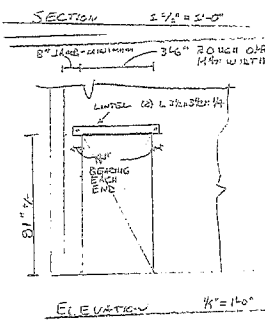
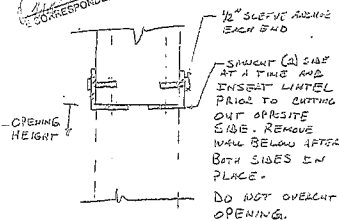
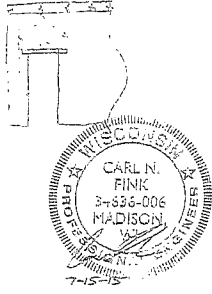
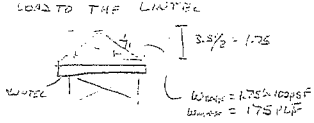
LOCATOR MAP



Project No: 1509-07	Page: 1/1
Project Name: TIP TOP NEAR LINTEL	
Date: 7-15-15	Engineer: CARL F

SCOPE DESIGN OF LINTEL TO ALLOW REMOVAL OF A 3'-4" CLEAR OPENING THROUGH AN 8" MASONRY BEARING WALL BETWEEN EXISTING TOWNHOMES AND ADJACENT SPACE. DOOR HEIGHT = 81" ±

WALL HEIGHT / JOIST BEARING OVER OPENING > OPENING WIDTH IS GREATER THAN 1/2 OPENING WIDTH => WALL NOT CONSIDERED LOAD TO THE LINTEL



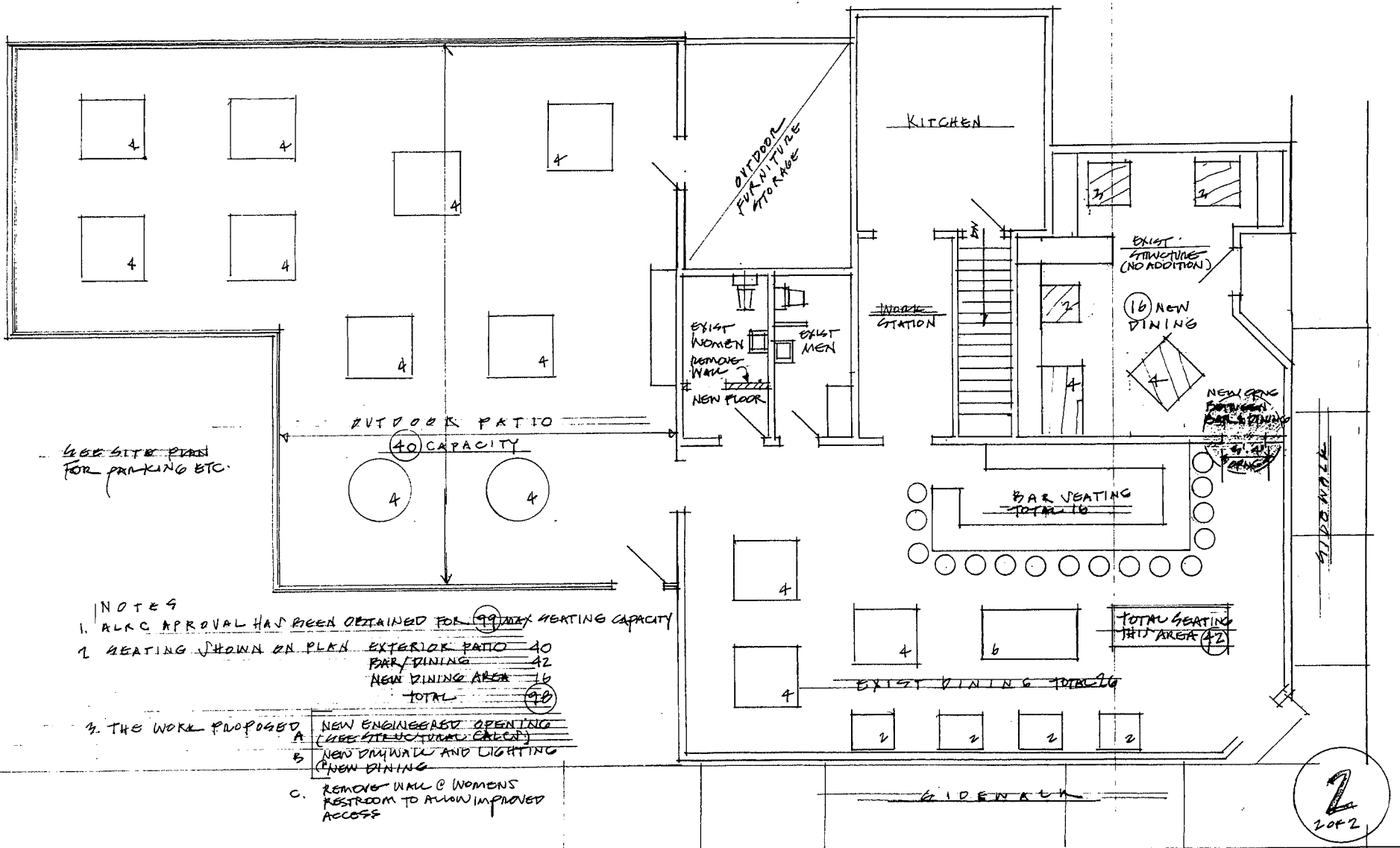
SHEET INDEX

1. LOCATOR, APPROVED SITE PLAN, STRUCTURAL INFORMATION FOR NEW OPENING
2. FLOOR PLAN @ NEW OPENING LOCATION & CAPACITY COUNT

NEW WALL OPENING @ 601 NORTH STREET
 MADISON, WISCONSIN
 SEPT 2, 2015

1 OF 2

LINVILLE ARCHITECTS
 AND ASSOCIATES
 405 E. WILSON, MADISON
 (608) 576-6544



- NOTES
1. ALRC APPROVAL HAS BEEN OBTAINED FOR 99 SEATING CAPACITY
 2. SEATING SHOWN ON PLAN:

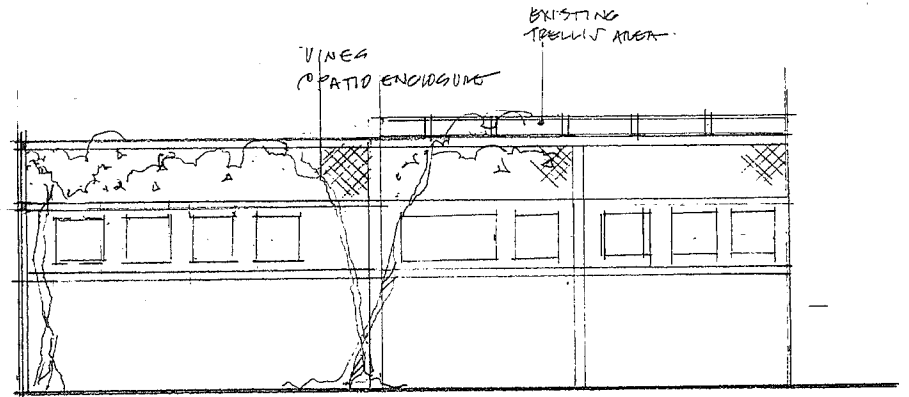
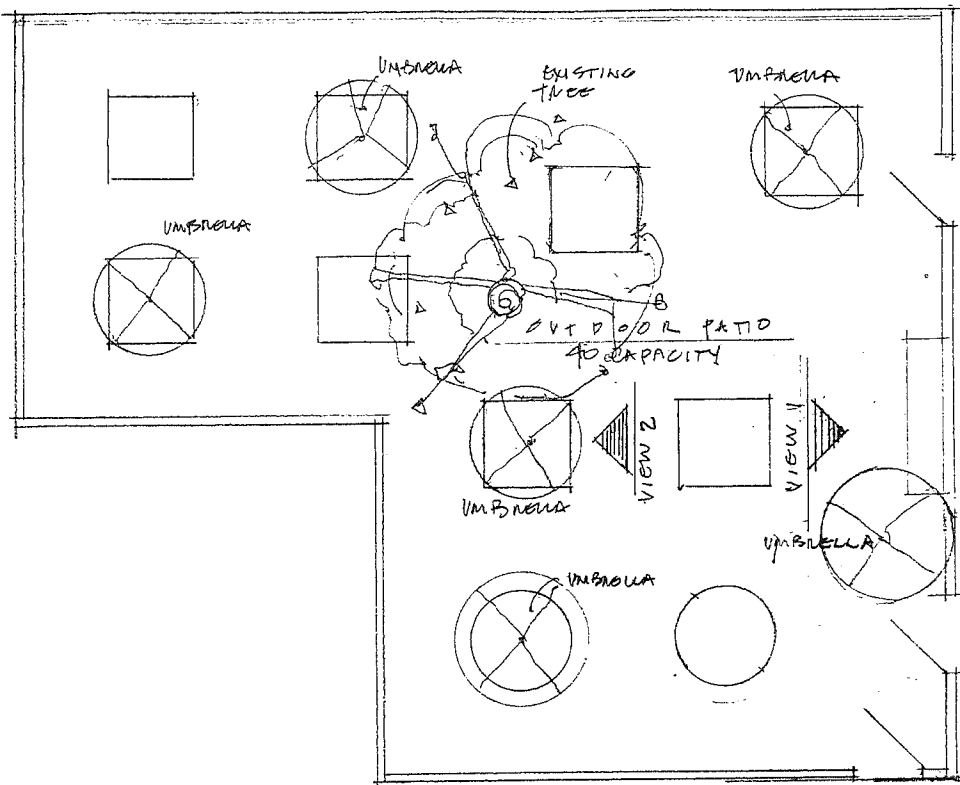
EXTERIOR PATIO	40
BAR/DINING	42
NEW DINING AREA	16
TOTAL	<u>98</u>

3. THE WORK PROPOSED:

A	NEW ENGINEERED OPENING (SEE STRUCTURAL CALC.)
B	NEW DM WALL AND LIGHTING (NEW DINING)
C	REMOVE WALL @ WOMENS RESTROOM TO ALLOW IMPROVED ACCESS

CAPACITY FLOOR PLAN
 SHOWING AREA OF NEW WORK
 601 NORTH STREET, MADISON, WISC

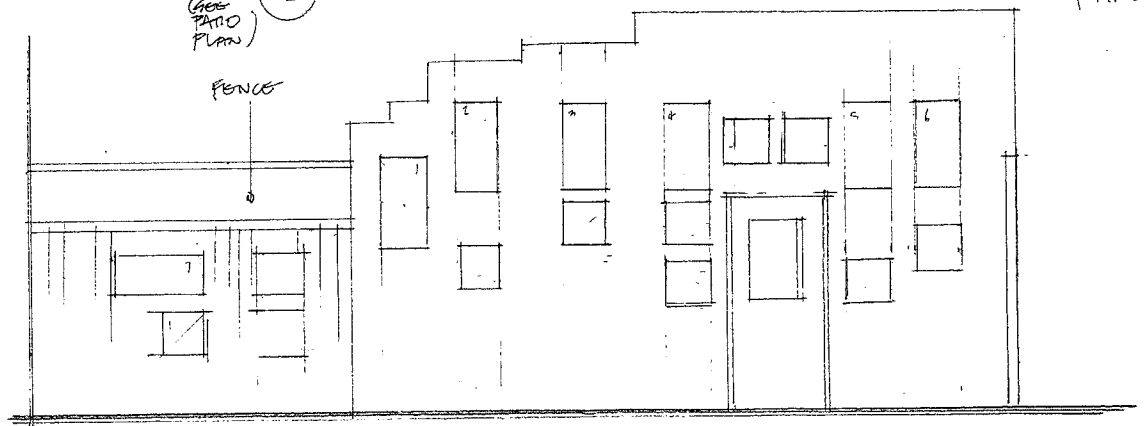
2
2022



PATIO PLAN
 @ UMBRELLAS @
 TABLE (6 HUG)

VIEW 2
 (SEE PATIO PLAN)

VIEW TOWARDS FENCE PATIO ENCLOSURE WITH SUGGESTED ACOUSTICAL PANELS



VIEW 1
 (SEE PATIO PLAN)

VIEW TOWARDS BUILDING WITH SUGGESTED ACOUSTICAL PANELS