

City of Madison

Proposed Conditional Use

Location 453 West Gilman Street

Project Name Cheba Hut Deck

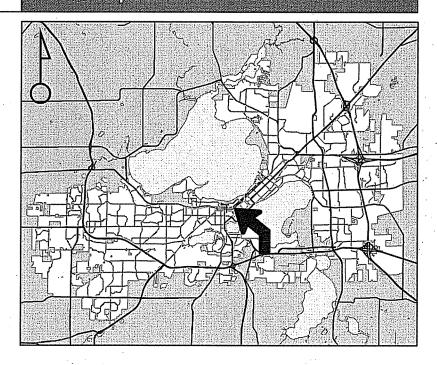
Applicant

Lofgren Properties / Marc Torres

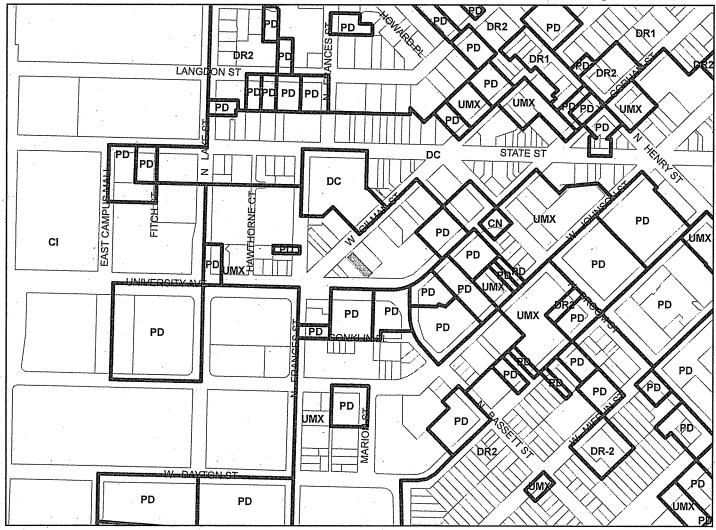
Existing Use Restaurant-tavern

Proposed Use Re-approve outdoor eating area for a restaurant-tavern

Public Hearing Date Plan Commission 22 January 2018



For Questions Contact: Chris Wells at: 261-9136 or cwells@cityofmadison.com or City Planning at 266-4635

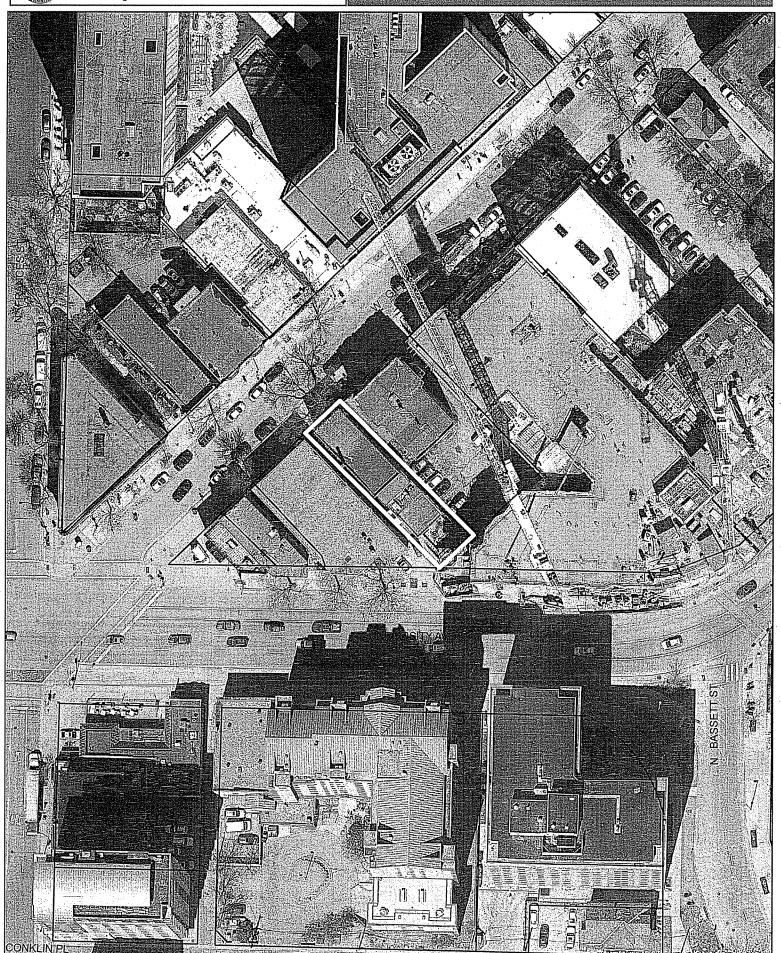


Scale: 1" = 400

City of Madison, Planning Division: PPE: Date: 16 January 2018



City of Madison



Date of Aerial Photography : Spring 2016 6

LAND USE APPLICATION

City of Madison Planning Division



FOR OFFICE USE ONLY: Paid Receipt # Date received Received by Parcel # Aldermanic district Zoning district Special requirements Review required by □ UDC PC ☐ Common Council □ Other Reviewed By

126 S. Hamilton St. P.O. Box 2985 Madison, WI 53701-2985 (608) 266-4635 All Land Use Applications must be filed with the Zoning Office at the above address. This completed form is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed using the Subdivision Application found on the City's web site. 1. Project Information Address: 53703 Title: 2. This is an application for (check all that apply) Zoning Map Amendment (rezoning) from _____ to Major Amendment to an Approved Planned Development-General Development Plan (PD-GDP) Zoning ☐ Major Amendment to an Approved Planned Development-Specific Implementation Plan (PD-SIP) ☐ Review of Alteration to Planned Development (PD) (by Plan Commission) Conditional Use or Major Alteration to an Approved Conditional Use **Demolition Permit** Other requests 3. Applicant, Agent and Property Owner Information Applicant name Street address 53703 970-420-5255 Telephone Project contact person Mary Torres Company W. Gilman St Street address City/State/Zip 970-420 - 5255 Telephone Email Marc @ chebuhus Lofgren Properties Property owner (if not applicant) Street address PO BOX 6473 Telephone 608-222-0365 rslotgren @ yahoo.com Email

Lan	nd Use App	lication	Į.							a Ala
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	Filing fee									
	Land Use Ap	onlication			tion notificati	on				:klist (LND-C)
	Letter of int			icinity ma				olemental R		its
	Legal descri				xisting conditi	ons site plan	☐ Elect	ronic Subm	ittal*	
				evelopme	-			• .		
and	d applicant nai	me. Electro	nic submitt	als via filo h	ortina samilas	4/30/1.CO(1), 11/	DF files of each e email must in box.com) are n 8) 266-4635 for	ciuae the pri	ted should l oject addre Applicants v	be compiled on a C ss, project name, who are unable to
sul cor	bmitted to th mpiled on a C	e UDC Sec D or flash	cretary. An	electronic	submittal a	piication iori	ith the UDC Some and all othe e, is required. ityofmadison.o	r submittal	required po requirement submittals	rior to submittal. ents must be should be
6. Ap	plicant Decl	100								
	Pre-applic	ation me	eting with	staff. Prid	or to prepara	ation of this	application, t	he applica	nt is stron	igly
	Note staff	u to dispe	iss the pit	posed de	velopment a	ind review p	process with Z	oning and	Planning	ngly Division staff.
	Planning st	aff H	eather	Storde	r			Date	8-20-	1 4
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1		s required	as part of	or of Plan pplication the applic	ning & Comi notification	munity & Ec	onomic Deve nt altogether. f the notificati	lopment m	ay reduce	e the 30-day
							uired materia	ils are suhi	mitted.	
	f applicant _		·c To177				tionship to pr		Busners	o Owner
uthoriz	zing signatur	e of prop	erty owne					_ Date	10-16	-17

Letter of Intent: Cheba Hut Deck Project

- Project Team- Marc Torres will oversee the entire project, from application to completion.
 - Architect- Dan Baldridge, Delta Design LLC, LEED Certified, Member American
 Institute of Building Design. http://www.deltadesign-llc.com/Pages/default.aspx
 - Contractor- Lance Babilius. Licensed and Insured contractor
- Existing Conditions- The area where the deck is to be built is on the University Ave side
 of the restaurant where two, non-designated, parking spaces are located. They area is
 concrete slab with an existing retaining wall planter along the edge of the fencing. We
 have constructed a bamboo fencing wall along the eastern edge which greatly improves
 the aesthetics of the area.
- Project Schedule- Project completion date: October 2017
- Proposed Uses- The approximate 450 sq ft deck will be used to accommodate dining guests who would prefer to enjoys their meals outside. It will be ADA accessible and will have hand railings and an emergency exit for safety.
- Hours of Operation- Our store hours are from 10am- 12am Sunday- Wednesday and 10am-3am Thursday- Saturday. We would like to keep the deck open until 10pm Sunday-Wednesday and 12am Thursday- Saturday.
- Dwelling Units- There is (1) five bedroom dwelling above the Gilman portion of the restaurant. It is shielded from ear-shot of the back area.
- Auto and Bike Parking stalls- There is no designated parking for the restaurant. There
 are bike stalls near the Gilman St entrance.
- Estimated Project Cost- Architectural Drawings- \$800, Permit- \$600, Materials/Construction- \$6000-8000. Total- \$7400- 9400.

City of Madison Property Information Property Address: 453 W Gilman St Parcel Number: 070923201126

Information current as of: 10/28/16 01:00AM

OWNER(S)

453 WEST GILMAN ST LLC

PO BOX 6473

MADISON, WI 53716

REFUSE COLLECTION

District: 07A

SCHOOLS

District: Madison

- Franklin-Randall
- Hamilton
- West

CITY HALL

Aldermanic District: 4 Alder Michael Verveer

PROPERTY VALUE

Assessment Year	Land	Improvements	Total
2015	\$173,000	\$284,000	\$457,000
2016	\$173,000	\$284,000	\$457,000

2015 TAX INFORMATION

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Net Taxes:	\$10,987.53
Special Assessment:	\$0.00
Other:	\$0.00
Total:	\$10,987.53

PROPERTY INFORMATION

Property Use: Restaurant & apts. Zoning: UMX Frontage: 33 - W Gilman St TIF District: 32	Property Class: Lot Size: Water Frontage: Assessment Area:	Commercial 4,323 sq ft NO 9931
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COMMERCIAL BUILDING INFORMATION

Commercial Property Record

SALE/CONVEYANCE DETAILS (includes sales and other forms of conveyances)

Information current as of: 10/28/16 01:00AM

Grantor: FISHER, MICHAEL J

Grantee: 453 WEST GILMAN STREET, LLC

Date of Conveyance: 2/2003 Conveyance Price:

\$0.00 Conveyance Type: Other Conveyance Included: 1 Parcel Grantor: MEISE, JEFFREY S

Grantee: FISHER, MICHAEL J

Date of Conveyance: 8/2002 Conveyance Price: \$354,000.00 Conveyance Type: Warranty Deed Conveyance Included: 1 Parcel Grantor: GILMAN STREET ASSOCIATES, LLC Grantee: MEISE, JEFFREY S Date of Conveyance: 8/2002 Conveyance Price: \$177,000.00 Conveyance Type: Warranty Deed Conveyance Included: 1 Parcel Grantor: KING CHEE CORPORATION Grantee: **GILMAN STREET ASSOCIATES** Date of Conveyance: 5/1994 Conveyance Price: \$170,000.00 Conveyance Type: Warranty Deed Conveyance Included: 1 Parcel Grantor: YEE, HERBERT S Grantee: KING CHEE CORPORATION Date of Conveyance: 5/1994 Conveyance Price: \$146,000.00 Conveyance Type: Warranty Deed Conveyance Included: ... 1 Parcel Grantor: SELIX, LOIS B Grantee: YEE, HERBERT S Date of Conveyance: 10/1987 Conveyance Price: \$106,000.00 Conveyance Type: Warranty Deed Conveyance Included: 1 Parcel Grantor: YEE ET AL, HERBERT S Grantee: SELIX, LOIS B Date of Conveyance: 9/1987 Conveyance Price: \$0.00 Conveyance Type: Other Conveyance Included: 1 Parcel Grantor: Grantee: Date of Conveyance: 1/1984 Conveyance Price: \$147,000.00 Conveyance Type: Orig. Land Contract Conveyance Included: 1 Parcel Grantor: Grantee: Date of Conveyance: 1/1984 Conveyance Price: \$147,000.00 Conveyance Type: Other Conveyance Included: 1 Parcel

LEGAL DESCRIPTION

Information current as of: 10/28/16 01:00AM

Notice: This description may be abbreviated and is for assessment purposes only. It should not be used to

transfer property

Lot Number:

0

Block:

UNIV ADD TO MADISON SW 1/2 OF, LOT 2, BLOCK 10

Property Information Questions?

Assessor's Office

210 Martin Luther King, Jr. Boulevard, Room 101

Madison, Wisconsin 53703-3342

Phone: (608) 266-4531

Email: assessor@cityofmadison.com

REAL PROPERTY TAX INFORMATION FOR 2015 Information current as of: 10/27/16 08:00PM

Category

Assessed Value

Average Assessment Ratio

Land

173,000

96.851799%

Est. Fair Market Value 178,623

Improvements	284,	000 96.	851799%	293,232
Total	457,	000 96.	851799%	471,800
Net Assessed Value Rate (mill rate)				0.0242146
School Levy Tax Credit				-923.19
Taxing Jurisdiction	2014 Net 7	Tax 201	5 Net Tax	% Tax Change
WISCONSIN	76	5.50	80.53	5.3%
DANE COUNTY	1,312	.16	1,400.28	6.7%
CITY OF MADISON	4,127	.18	4,335.46	5.0%
MATC	420	.94	440.05	4.5%
MADISON SCHOOLS	4,601	.66	4,809.74	4.5%
Total	10,538	.44 1	1,066.06	5.0%
First Dollar Credit	-77	.64	-78,53	1.1%
Lottery & Gaming Credit	C	.00	0.00	0.0%
Net Property Tax	10,460	.80 1	0,987.53	5.0%
Total Due				
Installment	Due D	ate	F	
First Installment	1/31/20			\$2,746.89
Second Installment	3/31/20		•	\$2,746.88
Third Installment	5/31/20			\$2,746.88
Fourth Installment	7/31/20			\$2,746.88
Full Amount	1/31/20			\$10,987.53
, 3., , 1,,,,,	1,01,2	J. U		\$10,507.33
Transaction Information				
Date Amount	Туре	Detail	Receipt Number	Balance Due
12/30/2015 \$10,987.53	payment	General: \$10,987.53	909471	\$0.00

Tax Information Questions?

Treasurer's Office

210 Martin Luther King, Jr. Boulevard, Room 107 Madison, Wisconsin 53703-3342 Phone: (608) 266-4771

Email: treasurer@cityofmadison.com

Disclaimer: The City of Madison collects and displays tax payments only for the current tax season of December through July 31st. If you have questions regarding property taxes for prior tax years, please contact the Dane County Treasurer's Office at (608) 266-4151 or for tax payment history, go to Dane County's <u>Access Dane</u>.

SPECIAL ASSESSMENTS

Information current as of: 10/27/16 10:00PM

No Special Assessments exist for Parcel Number 070923201126. Please contact the Finance Office for additional information.

Special Assessment Questions?

Finance Office

210 Martin Luther King, Jr. Boulevard, Room 406

Madison, Wisconsin 53703-3345

Phone: 266-4671

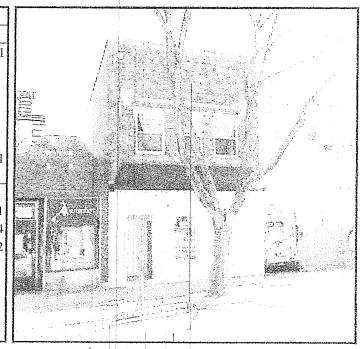
Email: finance@cityofmadison.com

Owner	453 WEST GILMAN ST LLC	Parcel Class:	Commercial	Property Type: Restaurant &	& apts.
		Parcel Code:		Property Code:	422
	PO BOX 6473	School District:	Madison	Property Data Revised: 04/	01/2016
	MADISON, WI 53716-0	TIF District:	32	Building Data Revised:	

Record of Transfer of Ownership								
Grantor	Document #	Date	Parcels	Consideration	Convey	Mkt	Ratio	
FISHER, MICHAEL J	93646968	2/2003	1	0	OTHER	I	I	
MEISE, JEFFREY S	93529796	8/2002	1	354,000	W.D.	V	V	
GILMAN STREET ASSOCIATES LLC	93526670	8/2002	1	177,000	W.D.	I	1	
KING CHEE CORPORATION	27605032	5/1994	1	170,000	W.D.	V	V	
YEE, HERBERT S	27605030	5/1994	i	146,000	W.D.	Ī	I	

Zoning: UMX	Lot Charact	eristics	Utilities	Street .		Frontage
Width: 0	I-Regular		Water: 2-Stubbed In	Paved	Primary: 33	W Gilman St
Depth: 0	0-None		Sewer: 2-Stubbed In	Curb-gutter	Secondary: 0	
Lot Size: 4,323 sqft	1-Level		Gas: 2-Stubbed In	Sidewalk	Other 1:0	
Acreage: 0.10 acres	2-Medium	Traffic		No Alley	Other 2: 0	
Buildability: 1-Buildable Lot	0-None	Wooded			Water: 0	0-No Water Frontage

	Parcel Buil	ding Summa	ary	
Floor Area	GFA	PFA	Apartmer	nts
1st Floor:	2,472	2,472	Total Units:	1
2nd Floor:	1,679	1,679	Rooms:	
3rd Floor:			Efficiency:	
4th Floor:			1 Bdrm:	
5th Floor:			2 Bdrm:	
Above:			3 13drm:	
Mezz Loft:			4 Bdrm:	1
Basement:	1,464		Other:	
			Building Sun	ımary
Parking			Buildings:	1
Level 1:			Apartment	1,464
Level 2:			Restaurant	2,472
Level 3:				
Other lyls.:				
Total:				
Total:	5,615	4,151		



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Notes:	T				
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Building Remarks: Bldg 1 has restaurant (w/ office) on first floor and 4-5 Bdnn (1.5 bath) apt on second floor. Bldg 2 is 1-story addition with no basement which is also used for restaurant. This addition provides visable frontage on University Ave. Bldg 3 is enclosed porch on second floor, details unknown. Parking on site (maybe 2-3 cars).

	Assessment changes						
Year							
Hearing #							
Schedule #							
Change							

Assessment Record							
	2014	2015	2016				
Change Code			1				
Land	173,000	173,000	173,000				
Improvement	262,000	284,000	284,000				
Total	435,000	457,000	457,000				

Parcel Number 0709-232-0112-6 Produced: 4/7/2016 12:29:58 PM

Situs 453 W Gilman St

Assessment Area

9931

Building						
GFA:						
PFA:						
Yr. Built:						
Yr. Remodeled:						
Quality:						
Exterior Condition:						
Stories:						
Story Height:						
Frame:						
Wall Type:				 		
Wall Type 2:						
Foundation:						
Roof Type:						
Roof Frame:						
Roof Cover:						
Floor Frame:						
Floor Deck:						
Basement					 	
Apartment Units:						

131.3	Area	C. P.	1:-1-	11		Fire		Floor	Wall				Bat		The second
Bldg	Туре	SqFt	Lights	Heat	A/C	Protection	Quality	Type	Finish	Ceiling	Elev	Cond	Full	Half	FP
1	Apartment	1,464											1	1	
	Restaurant	2,472													
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PLANNING DIVISION STAFF REPORT

October 6, 2014

PREPARED FOR THE PLAN COMMISSION

Project Address:

453 West Gilman Street

Application Type:

Conditional Use

Legistar File ID #:

35401

Prepared By:

Heather Stouder, AICP, Planning Division

Report Includes Comments from other City Agencies, as noted

Summany

Applicant/Contact: Marc Torres; Cheba Hut; 453 W. Gilman St., Madison, WI 53703

Property Owner: 453 W. Gilman St., LLC / Madison Property Management, Inc.; 1202 Regent St.; Madison, WI 53715

Requested Action: Approval of a conditional use for an outdoor eating area associated with a restaurant-tavern in the UMX District.

Proposal Summary: The applicant proposes to construct a deck for an outdoor eating area behind an existing restaurant-tavern in the Urban Mixed Use (UMX) District.

Applicable Regulations & Standards: This proposal is subject to the standards for conditional uses (MGO Section 28.183(7)).

Review Required By: Plan Commission (PC)

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the conditional use standards can be met and approve the request at 453 West Gilman Street. This recommendation is subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

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Parcel Location: The property is located on the south side of West Gilman Street, between University Avenue and North Broom Street; Urban Mixed Use (UMX) District; Aldermanic District 4 (Verveer); TID 32; Madison Metropolitan School District.

Existing Conditions and Land Use: The 4,323 square foot property has a two-story mixed use building constructed in 1922. The 4,151 square foot building has a ground floor restaurant space (The Cheba Hut) and a second floor four-bedroom apartment.

Surrounding Land Use and Zoning:

<u>Morth</u>: Across West Gorham Street to the north, mixed-use buildings with restaurants, retail, and residential spaces in the Urban Mixed-Use (UMX) District, and the back of "The Hub", a 12-story mixed-use building in the Downtown Core (DC) District.

East: 14-unit apartment building in the Urban Mixed-Use (UMX) District.

South: Across University Avenue to the south, Mixed-use buildings (La Ciel and The Embassy), both in the Planned Development (PD) District.

West: Two-story office building in the Urban Mixed-Use (UMX) District.



Legistar File ID #35405 453 W. Gilman St. October 6, 2014 Page 2

Adopted Land Use Plan: The <u>Comprehensive Plan</u> (2006) recommends State Street District Mixed-Use for this area. The <u>Downtown Plan</u> (2012) recommends Downtown Mixed Use, which includes a wide variety of uses, including restaurants with outdoor seating areas.

Zoning Summary: The property is in the Urban Mixed Use (UMX) District. A zoning summary and any conditions of approval will be provided to the Plan Commission at or prior to the October 6 meeting.

Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

Public Utilities and Services: This property is served by a full range of urban services, including several transit routes running along University Avenue and State Street.

Saletical Approvals

On August 20, 2014, the Alcohol License Review Committee (ALRC) granted a new license for this establishment with conditions that the capacity shall be limited to 75 indoors and 16 outdoors, that the establishment must meet the definition of a restaurant under MGO 38.02 at all times, and that alcohol service must cease at midnight (Legistar Item #35023).

Project Description, Analysis, and Conclusion

Project Description – The applicant proposes to replace two informal surface parking/loading spaces behind an existing building with a 450 square foot deck for outdoor eating associated with the Cheba Hut, a ground floor restaurant/tavern. Consistent with the August 20, 2014 ALRC approval, the outdoor seating area will accommodate a maximum of 16 people. Seasonal landscaping and a bamboo fence are proposed to surround the deck, screening it from adjacent properties and from University Avenue immediately to the south.

Conditional Use Standards -Staff believes that the proposal can meet the conditional use standards as summarized below:

- The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
 - Staff believes that this standard is met.
- 2. The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing these services.
 - Staff believes that this standard is met.
- The uses, values, and enjoyment of other property in the neighborhood for purposes already established will
 not be substantially impaired or diminished in any foreseeable manner.
 - The mixed-use building on the subject site has a dwelling unit on the second floor, which is stepped back from the first floor be several feet in the back of the building, shielding it from noise associated with outdoor dining. Similarly, the 14-unit apartment building next door will be shielded from the deck by the building itself. With a maximum capacity for only 16 people, no outdoor amplified sound, and closing times of 10:00 Sunday through Wednesday and 12:00 AM Thursday through Sunday, staff believes that there will be negligible, if any noise impacts to surrounding residential properties. Staff believes that this standard can be met, so long as conditions of approval are adhered to.
- 4. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 Staff believes that this standard is met.

602 E L

N FRANCES ST



AB N

(4)

New Social Deck





Drawing Sheet Index
Title page, Drawing index, Stamp
Property Site Plans
Plan view of area of construction
Framing and Support layout plan
Decking layout plan
Railing and Post layout plan
General and Landscape layout plan
East Elevation View
Deck Section
Building Alley Elevations

New Social Deck For: Cheba Hut 453 W. Gilman St. Madison, MI 53703

453 W. Gilman St.
Madison, WI 53703

Project No.:

14-006-79

Date

08-26-2014

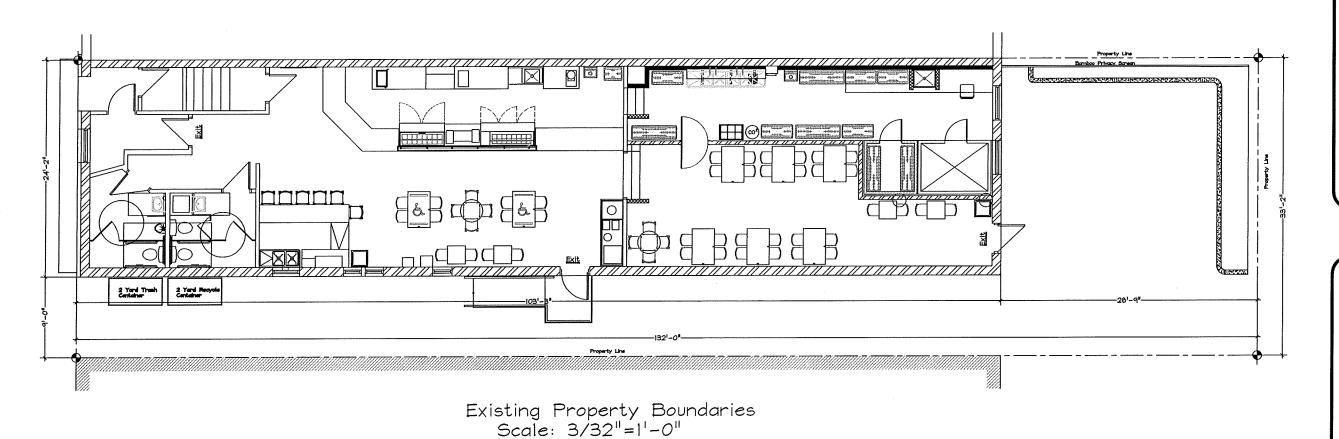
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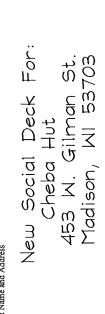
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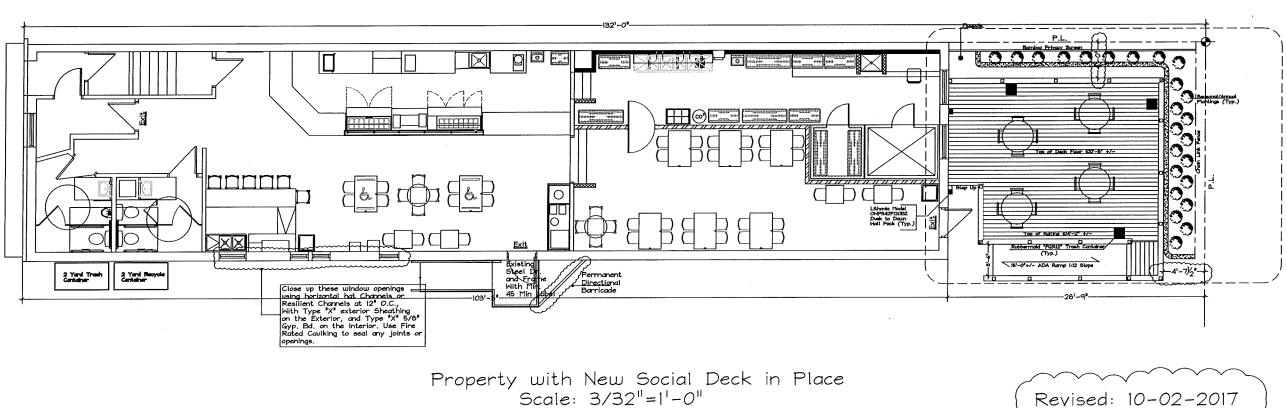


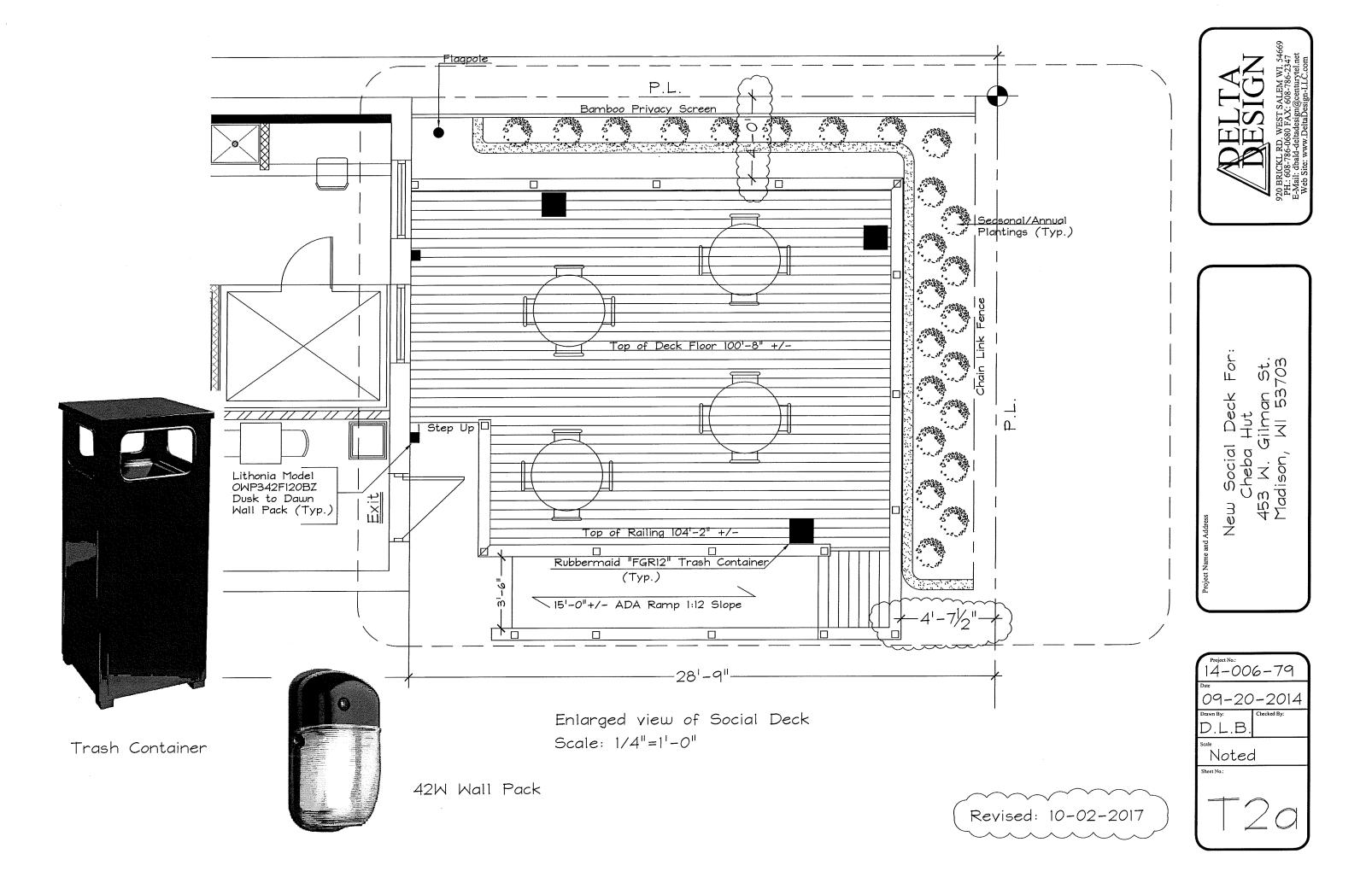
Project No.: 14-006-79

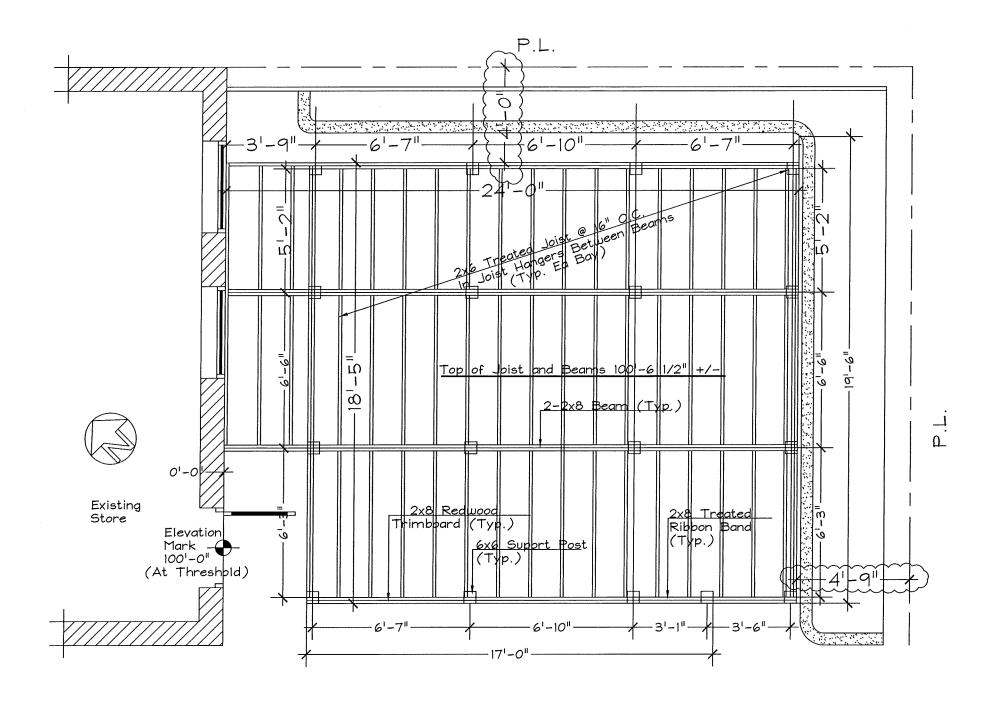
09-20-2014

D.L.B

Noted







Framing and Support Layout Plan Scale: 1/4"=1'-0"



New Social Deck For: Cheba Hut 453 M. Gilman St. Madison, WI 53703

Project No.:

14-006-79

Date

08-26-2014

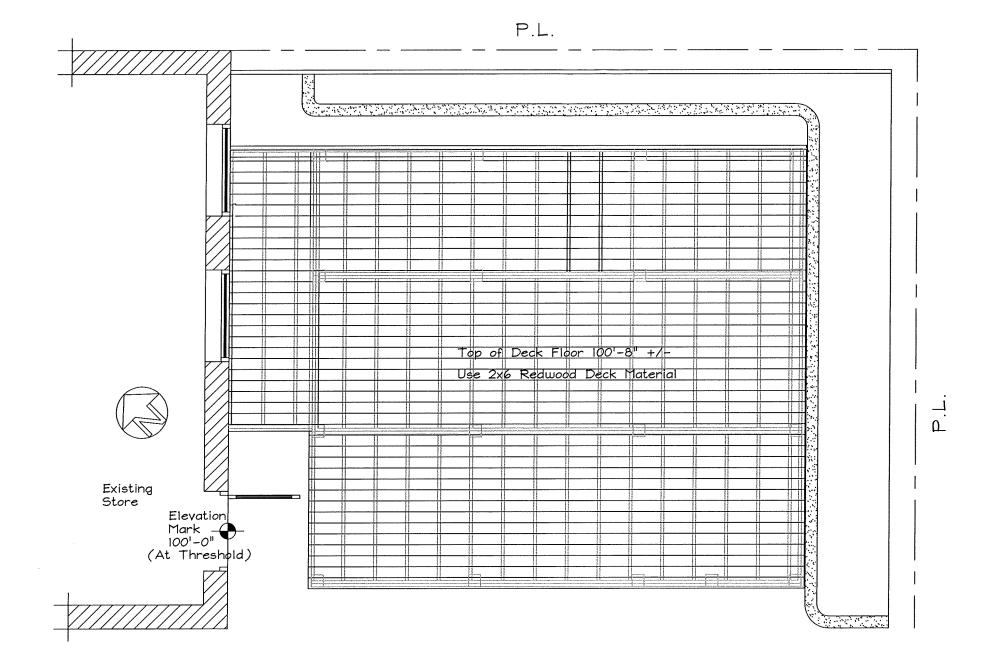
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D.L.B

Scale

Noted

Sheet No.:



Deck Layout Plan Scale: 1/4"=1'-0"



New Social Deck For: Cheba Hut 453 W. Gilman St. Madison, WI 53703

Project No.:

14-006-79

Date

08-26-2014

Drawn By:

Checked By:

D. L.B.

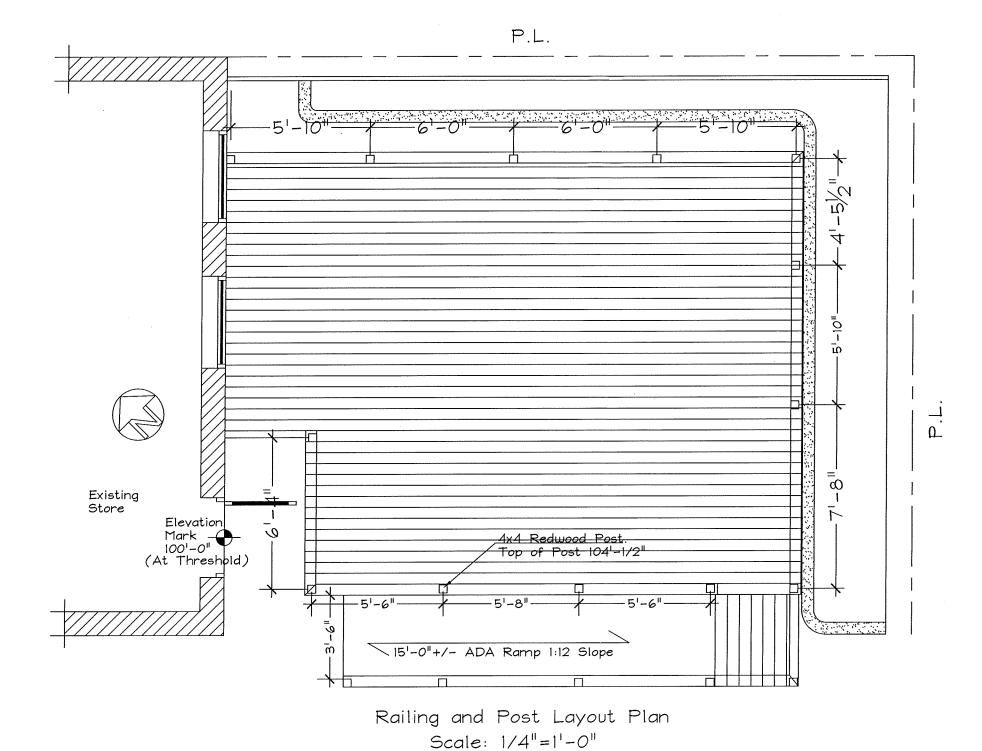
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Revised: 10-02-2017

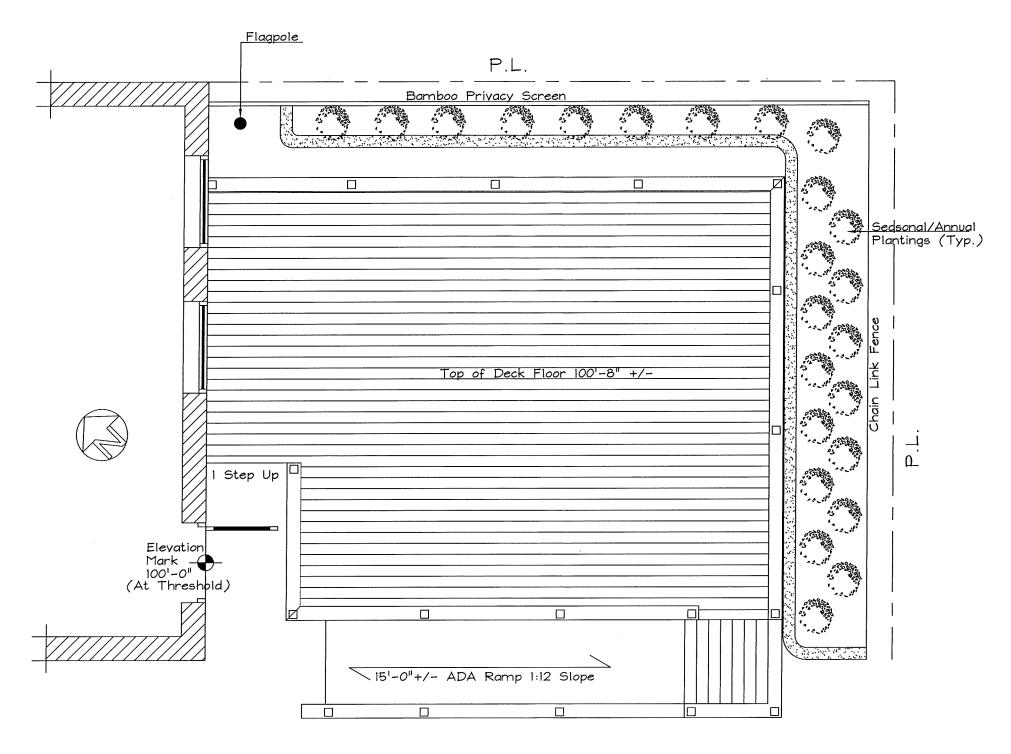
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Vew Social Deck For: Cheba Hut 453 W. Gilman St. Madison, MI 53703

Project No.: 14-006-79 Date 08-26-2014 Drawn By:
D.L.B.

Noted



General and Landscape Layout Plan Scale: 1/4"=1'-0"



New Social Deck For: Cheba Hut 453 M. Gilman St. Madison, MI 53703

Project No.:

14-006-79

Date

08-26-2014

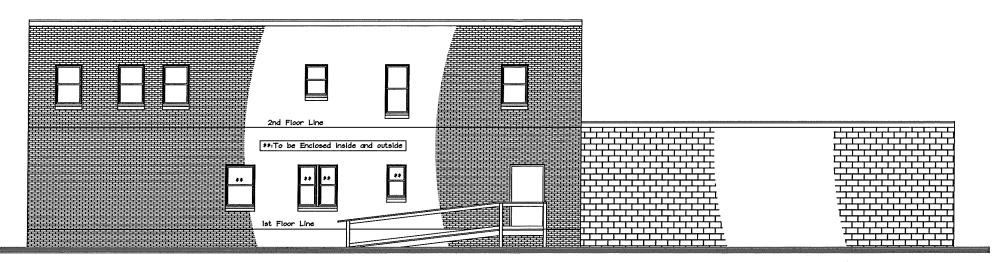
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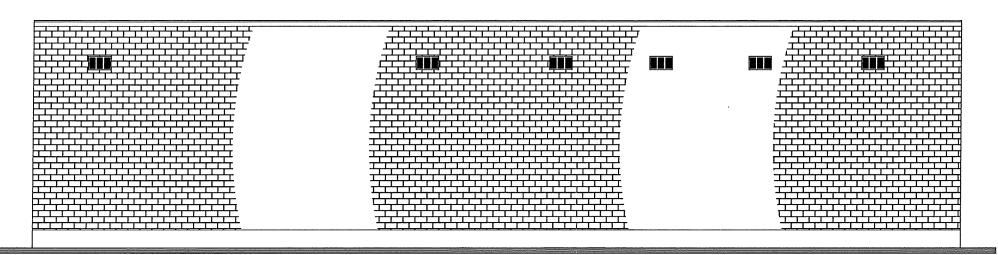
Scale

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Sheet No.:



453 W. Gilman St. Alley Elevation Scale: 3/32"=1'-0"



459 W. Gilman St. Alley Elevation Scale: 3/32"=1'-0"



New Social Deck For: Cheba Hut 453 W. Gilman St. Madison WI 53703

	Project No.: 14-006-79
	Date
	10-02-2017
	Drawn By: Checked By:
	D.L.B.
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(Created: 10-02-2017