



## Report to the Plan Commission

March 19, 2012

**Legistar I.D. #25617**  
**2002 Pankratz Street**  
**Conditional Use**

Report Prepared By:  
Timothy M. Parks, Planner  
Planning Division

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**Requested Action:** Approval of a conditional use to allow an outdoor eating area for a brewpub located at 2002 Pankratz Street.

**Applicable Regulations & Standards:** Section 28.10(4)(c) identifies outdoor eating and recreation areas as conditional uses in M1 (Limited Manufacturing District) zoning. Section 28.12(11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the conditional use standards met and **approve** a conditional use for an outdoor eating area for a brewpub at 2002 Pankratz Street, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 3 of this report.

### Background Information

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**Applicant:** John R. Schaefer, CSI Construction Services, Inc.; 639 S. Main Street, Suite 103; DeForest.

**Property Owner:** Wortlord, LLC; 639 S. Main Street, Suite 103; DeForest.

**Proposal:** The applicant is requesting approval of a two-level outdoor eating area for a brewpub currently under construction on the subject site. The outdoor eating area will contain seating for approximately 110 persons. A completion date of July 2012 is given for the project.

**Existing Conditions:** The site is currently being developed with the new home of Ale Asylum, which will contain a brewing facility and related warehousing, office space, and a restaurant and tasting room in addition to the proposed outdoor eating area. The site is zoned M1 (Limited Manufacturing District).

**Parcel Location:** The subject site is 4.7-acre parcel that fronts onto Pankratz Street approximately 1,000 feet southwest of Anderson Street. The property backs onto Packers Avenue (State Highway 113) and also partially abuts International Lane, though the property does not have access from either of those streets. The site is located in Aldermanic District 12 (Rhodes-Conway); Urban Design District 4; Madison Metropolitan School District.

#### Land Use and Zoning Surrounding Proposed Building:

North: Undeveloped land and a stormwater management outlot south of International Lane, zoned M1 (Limited Manufacturing District);

South: Office buildings in the Second Addition to Truax Air Park West subdivision, zoned M1;

West: Single-, two-, and multi-family residences across Packers Avenue, zoned R4 (General Residence District);

East: Bridges Golf Course, zoned C (Conservancy District).

**Adopted Land Use Plan:** The Comprehensive Plan recommends the subject site and nearby properties to the north, south and east for Employment uses.

**Environmental Corridor Status:** The site is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** Existing M1 (Limited Manufacturing District) zoning:

Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	4.7 acres, existing
Lot Width	50'	433.35' existing (Pankratz Street)
Front Yard	0'	Previously approved
Side Yards	0'	Previously approved
Rear Yard	0'	Previously approved
Floor Area Ratio	2.0 maximum	Less than 1.0
Building Height	N/A	1 full story w/ partial second floor
No. of Parking Stalls	To be determined w/ occupancy	150
Accessible Stalls	1	1
Loading	2	3
No. Bike Parking Stalls	2	20
<b>Other Critical Zoning Items</b>		
Yes:	Urban Design, Utility Easements, Barrier Free	
No:	Floodplain, Wellhead Protection; Landmark; Adjacent to Park	
<i>Prepared by: Pat Anderson, Asst. Zoning Administrator</i>		

## **Project Review, Analysis & Conclusion**

The applicant is requesting conditional use approval for a two-level outdoor eating area for the new Ale Asylum brewpub currently being developed at 2002 Pankratz Street in M1 Limited Manufacturing zoning. The new facility will include a brewing facility and related warehousing, office space, and a restaurant and tasting room in a new 46,000 square-foot facility, which will be located on the northern half of the 4.7-acre site. The proposed brewpub development will have parking for 150 automobiles with access from two driveways from Pankratz Street. Although the subject site also abuts Packers Avenue (State Highway 113) and International Lane, the project will not have direct vehicular access from those streets due to an access restriction placed on the site and other lots to the north and south with the plat of Second Addition to Truax Air Park West.

The project site is located on the western edge of the Truax Air Park employment district, which includes a variety of office, light manufacturing, and distribution facilities extending along the east side of Packers Avenue and both sides of International Lane leading northeast to Dane County Regional Airport. Additionally, the Bridges Golf Course is located east of the site across Pankratz Street on a County-owned former landfill. Across Packers Avenue to the west of the site and employment zone, the uses are residential in character and include a number of single-family and two-family residences and small multi-family buildings.

The proposed outdoor seating area will be located on two levels at the northwestern corner of the new facility. The lower level of the outdoor eating area will be an L-shaped space located adjacent to the bar/ restaurant and bottling room to be located along the north wall of the new facility. The lower area will include 15 tables with seating for 60 patrons, 7 lounge seats, an outdoor fireplace and various planters. Primary access into this seating area will be through the bar/restaurant. The upper level of the outdoor eating area will be located above the bottling room and will overlook the lower area, with access from a balcony area overlooking the indoor bar/ restaurant and from an open stairwell from the lower level of the outdoor eating area. The upper area will include 18 tables with seating for about 52 patrons. The actual occupancy of the outdoor eating area will likely be somewhat higher and will be established by the operator in conjunction with the Fire Marshal and Building Inspection Division, and as part of the issuance of a liquor license for the establishment by the Common Council following a recommendation by the Alcohol License Review Committee. The outdoor eating area will be enclosed with a four-foot tall metal railing. Two renderings of the proposed outdoor eating area are included in the Plan Commission materials for this application.

The applicant indicates that service on the lower level of the outdoor eating area will occur from 11:00 AM until 11:00 PM Sunday–Thursday and until 1:00 AM Friday and Saturday. Service on the upper level will occur until 10:00 PM Sunday–Thursday and until midnight Friday and Saturday. The applicant indicates that outdoor amplified sound will be provided but will include speakers directed towards the outdoor area to minimize sound trespass from the property; no live music is proposed.

The Planning Division does not object to the proposed establishment of an outdoor eating area for the brewpub and believes that it can meet the standards for conditional uses. Staff does not feel that limitations on outdoor amplified sound or hours of operation are necessary for this outdoor eating area due to the commercial and industrial character of the properties east of Packers Avenue. Although there are residences immediately adjacent to the west side of Packers Avenue, staff feels that the width of that street creates sufficient separation (approximately 200 feet) between the proposed outdoor eating area and the nearest residences to the west. The applicant and brewpub operator presented their project to the neighborhoods near the subject site, and staff is not aware of any concerns or opposition to the proposed outdoor eating area. Should any issues arise from the operation of the outdoor eating area in the future, staff believes they could be addressed through the continuing jurisdiction the Plan Commission maintains on all conditional uses.

### **Staff Recommendations, Conditions of Approval & General Ordinance Requirements**

Major/Non-Standard Conditions are shaded

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#### **Planning Division Recommendation** (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for an outdoor eating area for Ale Asylum located at 2002 Pankratz Street, subject to input at the public hearing and the conditions from reviewing agencies:

#### **City Engineering Division** (Contact Janet Dailey, 261-9688)

1. Note: The property is within the Truax Landfill Zone of Concern and must comply with MGO Section 29.20

**Traffic Engineering Division** (Contact John Leach, 267-8755)

This agency submitted a response with no conditions of approval for this request.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

This agency did not submit comments for this request.

**Fire Department** (Contact Scott Strassburg, 261-9843)

2. Exit paths from the outdoor dining area shall be provided from the gates to the public way.
3. Exits shall include occupants discharging from interior spaces.
4. Determine occupant loads for the outdoor/rooftop areas.
5. Obtain Assembly permits as required.

**Parks Division** (Contact Tom Maglio, 266-4711)

This agency did not submit comments for this request.

**Water Utility** (Contact Dennis Cawley, 261-9243)

This agency submitted a response with no conditions of approval for this request.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit comments for this request.

**Police Department** (Contact Frank Chandler, 266-4238)

This agency did not submit comments for this request.