



City of Madison

Proposed Conditional Use

Location
301 North Street

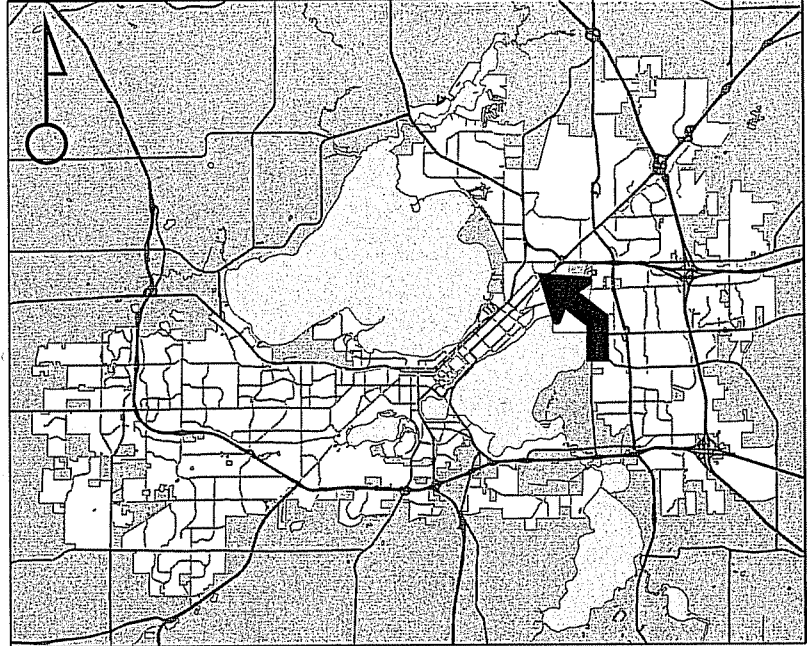
Project Name
Dexter's Outdoor Events

Applicant
Nicholas Zabel - Dexter's Pub

Existing Use
Dexter's Pub

Proposed Use
Amend plans for outdoor eating and recreation area for restaurant/tavern to allow special events in the parking lot

Public Hearing Date
Plan Commission
07 May 2012

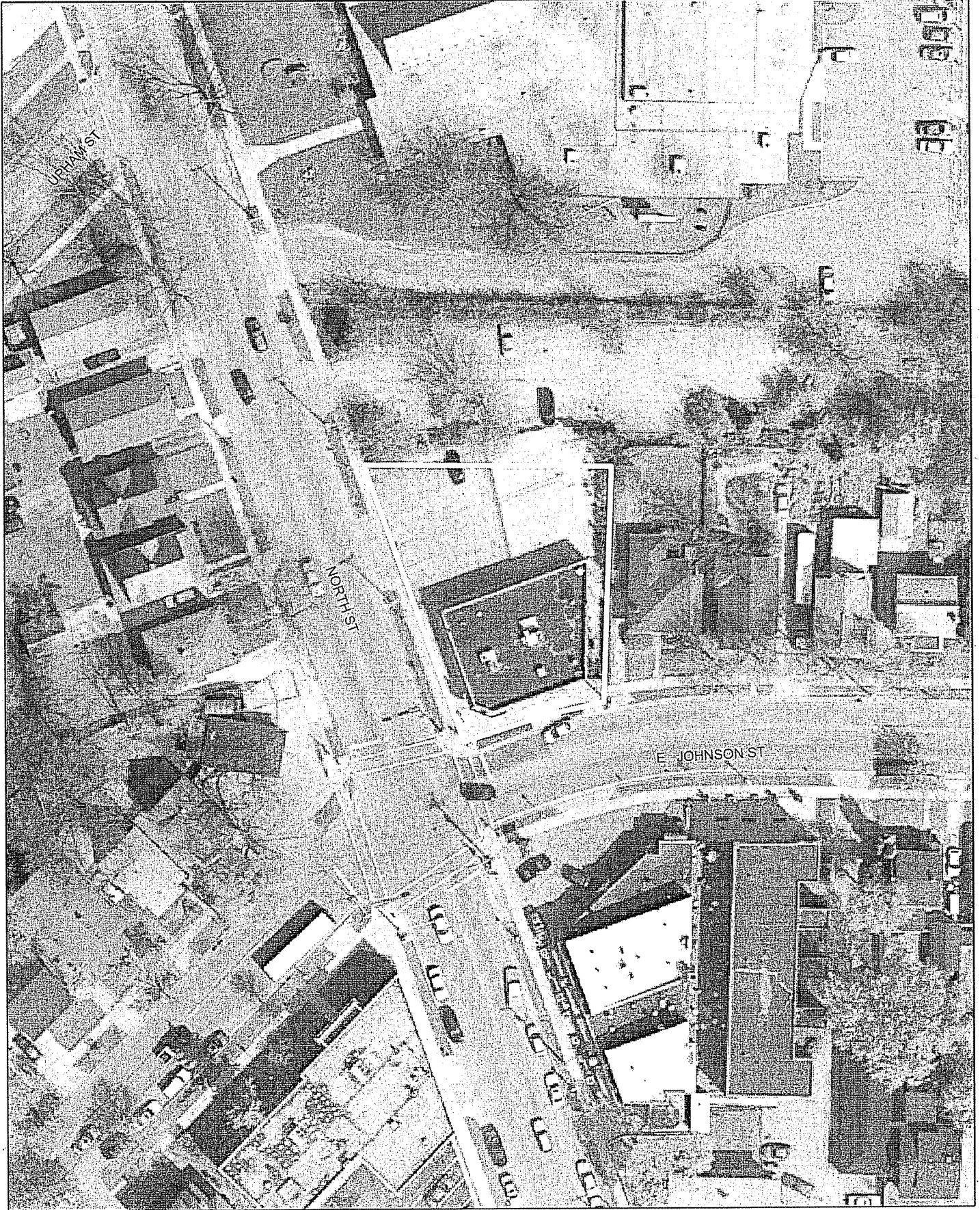


For Questions Contact: Kevin Firchow at: 267-1150 or kfirchow@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 23 April 2012



Date of Aerial Photography : Spring 2010



LAND USE APPLICATION Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed with the Subdivision Application.
- Before filing your application, please review the information regarding the **LOBBYING ORDINANCE** on the first page.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All Land Use Applications should be filed directly with the Zoning Administrator.

FOR OFFICE USE ONLY:	
Amt. Paid <u>550.00</u>	Receipt No. <u>129873</u>
Date Received <u>3/21/12</u>	Received By <u>JLK</u>
Parcel No. <u>0710-061-2838-6</u>	Aldermanic District <u>12 Satya Rhodes</u> <i>Con way</i>
GQ <u>CU/ALC</u>	Zoning District <u>C2</u>
For Complete Submittal	
Application <u>✓</u>	Letter of Intent <u>✓</u>
IDUP <u>NA</u>	Legal Descript. <u>✓</u>
Plan Sets <u>✓</u>	Zoning Text <u>NA</u>
Alder Notification <u>Waiver</u>	
Ngbrhd. Assn Not. <u>Waiver</u>	
Date Sign Issued <u>3/21/12</u>	

1. **Project Address:** 301 North Street

Project Area in Acres: 0.1

Project Title (if any): _____

2. This is an application for:

Zoning Map Amendment (check the appropriate box(es) in only one of the columns below)

Rezoning to a Non-PUD or PCD Zoning Dist.:

Existing Zoning: _____ to _____

Proposed Zoning (ex: R1, R2T, C3): _____

Rezoning to or Amendment of a PUD or PCD District:

Ex. Zoning: _____ to PUD/PCD-GDP

Ex. Zoning: _____ to PUD/PCD-SIP

Amended Gen. Dev. Amended Spec. Imp. Plan

Conditional Use

Demolition Permit

Other Requests (Specify): _____

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Nicholas Zabel Company: NDZ Enterprises, LLC dba Dexter's Pub

Street Address: 2610 East Johnson Street City/State: Madison / WI Zip: 53704

Telephone: (608) 206-0698 Fax: (608) 244-1294 Email: NdZabel@gmail.com

Project Contact Person: Nicholas Zabel Company: _____

Street Address: 2610 East Johnson City/State: Madison / WI Zip: 53704

Telephone: (608) 206-0698 Fax: (608) 244-1294 Email: ndzabel@gmail.com

Property Owner (if not applicant): Vito Cerniglia

Street Address: 2303 Pinehurst Dr City/State: Middleton / WI Zip: 53562

4. Project Information:

Provide a brief description of the project and all proposed uses of the site: _____

Dexter's would like to change its Conditional Use Permit to include the use of a parking lot for four events throughout the _____

Development Schedule: Commencement May 12th, 2012 Completion _____

5. Required Submittals:

- Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
 - **7 copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
 - **7 copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
 - **1 copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper
- Letter of Intent (12 copies):** describing this application in detail including, but not limited to: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor. For any application for rezoning, the description must be submitted as an electronic word document via CD or e-mail. For applications proposing rezoning to more than one district, a separate description of each district shall be submitted.
- Filing Fee:** \$ 550.00 See the fee schedule on the application cover page. 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 (including this application form, the letter of intent, complete plan sets and elevations, etc.) as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants unable to provide the materials electronically should contact the Planning Division at (608) 266-4635 for assistance.

In Addition, The Following Items May Also Be Required With Your Application:

- For any applications proposing demolition or removal of existing buildings, the following items are required:
 - Prior to the filing of an application, the applicant or his/her agent is required to notify a list of interested persons registered with the City **30 or 60 days prior to filing** their application using the online notification tool found at: https://www.cityofmadison.com/developmentCenter/demolitionNotification/
 - A photo array (6-12 photos) of the **interior and exterior** of the building(s) to be demolished or removed. A written assessment of the condition of the building(s) to be demolished or removed is highly recommended.
 - Note: A Reuse and Recycling Plan approved by the City's Recycling Coordinator is required prior to issuance of wrecking permits and the start of construction.
- Zoning Text (12 copies):** must accompany Planned Community or Planned Unit Development (PCD/PUD) submittals.

6. Applicant Declarations:

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:

→ The site is located within the limits of Comprehensive Plan, which recommends: Neighborhood Mixed Use for this property.
- Pre-application Notification:** Section 28.12 of the Zoning Code requires that the applicant notify the district alder and any nearby neighborhood & business associations in writing no later than **30 days** prior to filing this request:

→ List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:
Alderperson Sayta, Ekan Park and Emerson East Neighborhood Associations

NOTE: If the alder has granted a waiver to this requirement, please attach any such correspondence 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: Kevin Firchow Date: 07/27/11 Zoning Staff: Matt Tucker Date: 07/27/11
- Check here if this project will be receiving a public subsidy.** If so, indicate type in your Letter of Intent.

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

Printed Name Nicholas Zabel Date 03/20/2012

Signature *N. Zabel* Relation to Property Owner LEASEE

Authorizing Signature of Property Owner *VA Epli* Date 3/20/12

Nicholas Zabel

Dexter's Pub

301 North Street

Madison, WI 53704

March 20, 2012

To whom it may concern:

The following letter is in regards to changes that we would like to make at Dexter's Pub revolving around the use of a small parking lot for events throughout the year. These are changes that have been brought about by looking at other venues, employee input, customer input and by visiting other neighborhood events. As this process has evolved it has become apparent that it is extremely important to not only inform people of our intentions, but to also inform people of what we intend not to do. These people include customers, staff, the neighborhood, the police and the city organizations that have a vested interest in Dexter's Pub continuing to be a positive establishment in the neighborhood and Madison.

In order to use this parking lot, Dexter's will need to make a change in its liquor license to allow alcoholic beverages in the parking lot and apply for two conditional use permits. The first conditional use permit would allow for the parking lot to be used as an outdoor recreational area and the second conditional use permit would allow for a temporary reduction in parking for Dexter's Pub.

Description of 313 North Street

The lot that is 313 North Street sits directly north of 301 North Street and is a long lot that is 20,790 square feet. Approximately 2/3's of the property is used for parking (32 stalls) by Dexter's Pub with the remainder of the property being used by the neighbors for gardening and such.

Description of 301 North Street

Dexter's Pub is located at 301 North Street on Madison's Northeast side. It is in the Ekan Park Neighborhood Association, but the Emerson East Neighborhood Association is also involved as it is directly across the street from Dexter's Pub. The Pub sits in a predominantly residential neighborhood with a church on the other side of 313 North Street and some businesses directly south of Dexter's.

The lot that is 301 North Street sits on the intersection of East Johnson and North Street and is 11,894 square feet. This lot has been Dexter's Pub since the fall of 2007 after the business was purchased from the Sandlot. Prior to the Sandlot, the property had been in the Steven's family as Steven's Cocktail Lounge and Steven's Grocery Store.

March 18, 2012

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The entire southern half of the property composed is of a 6,000 square foot building that is Dexter's Pub. The entire northern half of the property is composed of a parking area (eight regular parking stalls and two handicapped stalls), a volleyball court and a patio (that has seating for 30 people).

Desired Changes

Dexter's Pub currently has a Conditional Use permit for the volleyball court and the patio area and would like to be able to use the smaller of the two parking lots for events throughout the year. The small parking lot is sandwiched between the volleyball court, the north side of the building and the south edge 313 North Street and would be incorporated with the volleyball court and the patio.

Events could include:

- Pre-Party for the Great Taste of the Midwest Beer Festival
- Madison Craft Beer Week
 - The Bell's Brewing Company Circus
- Simple Neighborhood gatherings
- Rare and Specialty Beer Events
- Cooking competition
- Block party
- Volleyball Tournament
- Mid-Winter Party
- Trivia Competition

The idea is to have events that center around the neighborhood, volleyball and/or craft beer. This does not mean that we would not want to have kid friendly events (a quick look at a Friday Fish Fry will show how kid friendly Dexter's Pub is!). The event that we are planning for Madison Craft Beer Week would have a circus atmosphere with the parking lot to be used for games as well as for people to have a beer.

MUSIC

The reality is that it is a small space in the middle of a neighborhood, and both of those factors need to be taken in to consideration. Loud music would not only hurt Dexter's image with the neighborhood, but would also be detrimental to many of the events that we would like host.

Dexter's would like to be able to use a DJ or small band as background music, not to be the reason for the event. We would do our best to set up the music to offer the least impact on the neighbors around us. Our plan is to set up the music with the most possible sound to be absorbed people, tents and landscape of the area around Dexter's Pub. The initial plan is to have the sound aimed towards the north outside wall of Dexter's where it would be absorbed by people, the volleyball court and the tents. We also understand that this may take some experimentation with speaker placement and such, and that ultimately this could be an issue where the use of music would have to be reexamined.

PREPARATION FOR AN EVENT

All events will be sent to the Eken Park and Emerson East Neighborhood Associations, as well as Bashford United Methodist Church (our immediate neighbor to the North). We not only want to alert the neighborhood of our events, but we do not want to have any conflicts with other events in the neighborhood (this includes weddings at Bashford). We will send these notices 4 to 6 weeks in advance of the event and will include the date of the event, the time of the event and the purpose for the event.

PARKING LOT SET-UP

For some events, such as the Circus or the Firkin Festival, it will require the complete utilization of the outside area to make it financially possible. For these events we would set up the outside as follows:

- 10' x 6' sections of fencing along the north side of the parking lot connected to the same fencing along the west end of the parking lot. There would be five sections connected (at the northwest corner of the parking lot) with six sections along the west end (along North Street).
 - The driveway would be closed off
 - There would be a 5 foot entrance/exit at the eastern edge of the North fence. This would be in the northeast corner of the parking lot next to the volleyball fencing.
 - There would be a 10 foot entrance/exit at the southern edge of the west fence. This would be the southwest corner of the parking lot and is near the front entrance to the building
- Tents
 - Tents could range from simple 10'x10' pop-up tents to tents covering the entire parking lot.
 - When the pop-up style of tents would be used, they would start in the northwest corner of the parking lot and fan out along the fencing on the north and west sides of the parking lot.

- Port-a-potties
 - Any port-a-potties would be located in the middle of the east end of the parking lot. These would be located against the volleyball fence and would give people the best access without placing the port-a-potties near any activities that may be going on.

TIMES AND DAYS OF THE EVENTS

There is not an exclusive plan for the days that Dexter's would have events, but it is likely that they would be Saturday and Sundays. Start times would be typically be between 11am and 2pm and would never run past 8pm. Times would vary based on the time of year (winter would have an earlier closing time) and the day of the week. For the Bell's Circus that we would like to start off with, we are aiming to have everything ready by 2pm and shut down the parking lot at 8pm. At the time of the event closing we would make every effort to get the parking area back to the cars as soon as possible.

PARKING ISSUES

Parking at Dexter's has been brought up as an issue for events. On many busy nights our parking lot(s) are not able to handle the volume of cars that we have coming to Dexter's Pub, which leads to street parking along North Street and some of the streets that intersect North Street.

As much as we are a neighborhood establishment, there are people that do come from across town and from out of town. We hope to alleviate some of the parking issues by encouraging our customers through posters and other media to leave the car at home; take a walk, bike or bus to Dexter's. For our customers' convenience, we will also post bike trail and bus information. We will also encourage people to car pool or take a cab. Other possibilities include expanded bike parking and incentives.

My Experience

I have plenty of experience in not only the bar business, but I have experience in putting together outside events. I worked on the bar side as an employee of Jordan's Big 10 Pub for Badger tailgates for nine years. On the distributor side, I worked at H&M Distributing setting up the Badger tailgates for eight years. I have been the owner of Dexter's Pub for over four years. I am not looking, (nor would I want) to have events on the scale of Badger tailgates, but I do think that my experience those events will allow me handle any event that I would put together at Dexter's.

Setting up an outside event at Dexter's will not be taken lightly; the risks involved are great. Losing the goodwill of the neighborhood, and the time and money lost in an event that is not well planned is something that we do not want to do. Some events will be simple where the number of people needed will be minimum, but the reality is that some of the events (Rare Beer and the Bell's Circus), would require 200 to 300 people to make them work. That may

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seem like a large number of people, but the reality is that is only 2 to 3 times the number of people at Dexter's on a night of trivia or a fish fry.

Captain McLay has stated that he would love to have us run an event on a trial run and then go from there. I think that is a great idea and would be more than happy to do that. This does mean that we would have to start out with a larger and more involved event like the Bell's Circus.

Conclusion

I would like to finish by saying that I am asking for these changes with the idea that we will use the space rarely and only with good intentions. As I have stated many times, I will not do anything that would harm the great customer base that we earned or the goodwill that we have attained. The success we have had at Dexter's cannot be measured in amount of business that we have had, it is measured with the number of great customers we have and the response from the neighborhood that we have received. I will not do anything to erode either.

We understand how important the neighborhood is to the success of Dexter's and with that comes a responsibility to have the neighborhood involved in Dexter's Pub. We do not and will not survive if the neighborhood is not okay with us and we will do everything possible to keep the great neighborhood feeling that we have!

Sincerely,

Nicholas Zabel

Owner

EXIST. PLANT SCHEDULE	PLANT NAME	PLANT SIZE	PLANT TYPE	PLANT QUANTITY	PLANT COST
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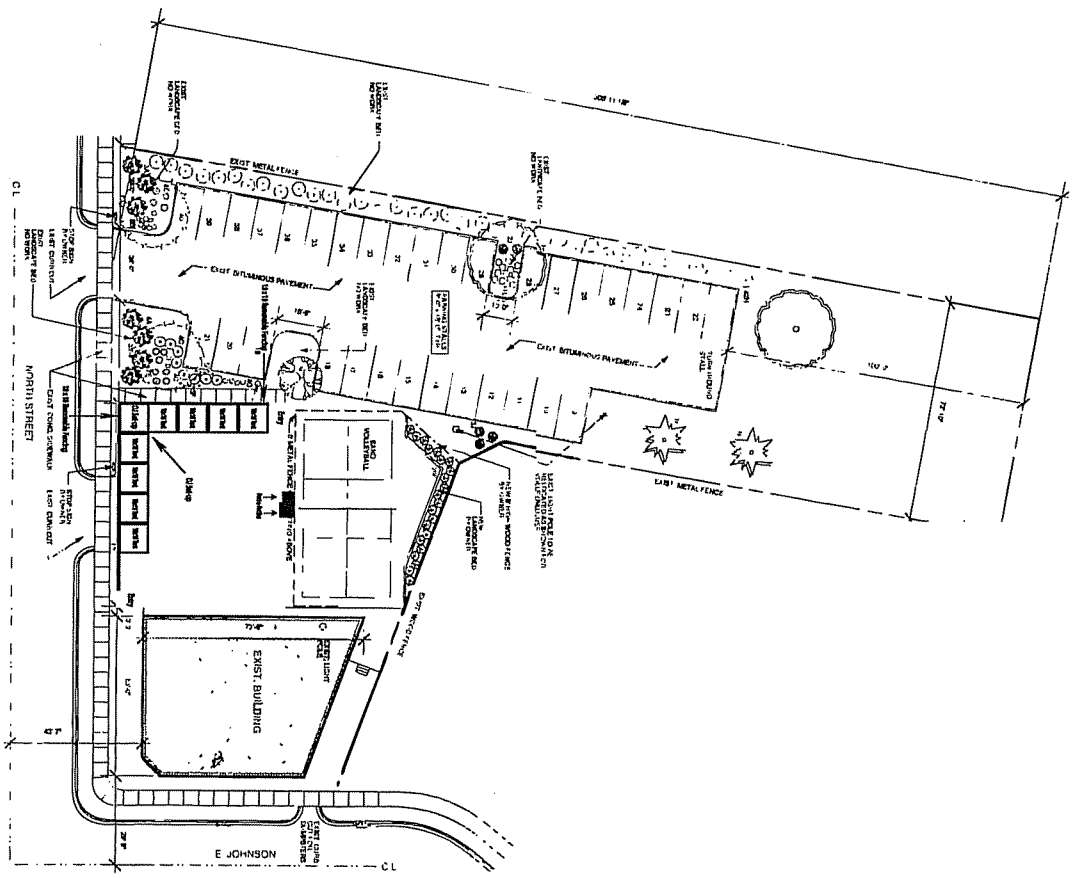
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PROPOSED SITE PLAN

DATE: 1-27-20

SCALE: AS SHOWN

PROJECT: PARKING LOT ALTERATION

LOCATION: 30. NORTH STREET

30. NORTH STREET