

Wells, Christopher

From: Wendt, Jay
Sent: Friday, April 01, 2016 7:14 AM
To: Wells, Christopher
Subject: Fwd: Next Door Brewery

----- Original message -----

From: M Wise [REDACTED]
Date: 03/31/2016 7:01 PM (GMT-06:00)
To: "Wendt, Jay" <JWendt@cityofmadison.com>
Subject: Next Door Brewery

Please do not approve plans for outdoor seating at NDB. I do not believe the owner has our neighborhood's best interests in mind. He doesn't seem to give us a second thought and thinks he can just promise anything and then not follow through and do what he wants. I really do not like the idea of outdoor seating. I think it would be noisy and disruptive. I would agree to it only until 8pm. Lastly, the owner doesn't seem to be trustworthy. This is our neighborhood. We live here. We have a right to peace and quiet and keeping our windows open on a summers night. I bet you want that too. Thank you for your service.
Mary Wise

Sent from my Fortress of Solitude.

Wells, Christopher

From: Wendt, Jay
Sent: Friday, April 01, 2016 7:15 AM
To: Wells, Christopher
Subject: Fwd: Next Door Brewing proposal

----- Original message -----

From: V Straughn [REDACTED]
Date: 03/31/2016 5:26 PM (GMT-06:00)
To: "Wendt, Jay" <JWendt@cityofmadison.com>, "Rummel, Marsha" <district6@cityofmadison.com>
Subject: Next Door Brewing proposal

Dear Mr. Wendt:

I am writing to ask the Plan Commission to review neighborhood comments and revise the proposed Outdoor Seating plan submitted by Next Door Brewing of Atwood Avenue and approved by the ALRC.

The chief concern that neighbors have centers on the dramatic decline in quality of life that has arisen as a result of NDB's unwillingness to work out problems with neighbors before and after establishing his business. Said decline in quality of life will be exacerbated by NDB's current plan for outdoor seating.

The residents of this neighborhood have worked very positively with other businesses over the years: we organized fundraising for Cafe Zoma so it could stay afloat, we helped bring in, met with and worked positively with Stalzy's Deli prior to their opening, and we donated large amounts of money to the Barrymore when it was trying to get started. These are only a few of the ways in which we support and befriend neighborhood businesses. We had hoped for the same with Next Door Brewing Co.

It is still the hope of this neighborhood that we can work amicably with the owners of NDB, asking them to consider the young families who live immediately behind what was a quiet professional building and an appliance store when they bought their homes and invested in improving them. We know that NDB's owners have families of their own and must surely understand how devastating it would be to have large groups of people sitting on the other side of the fence every day and night until 10 pm, drinking and smoking, while their children had hoped to enjoy the backyard after school and in the summer or to have their windows open when they went to bed at 8 pm.

The neighbors asked one thing: to have a tree barrier planted to mitigate the noise and odors. While Aric of NDB agreed to that, verbally, he never followed through on it. Instead he now plans to use the agreed-upon tree barrier as a bargaining chip for an extension of his brew pub, i.e., Outdoor Seating. Discussions collapsed when Aric changed the rules of the game in this way.

Without any discussion or effort to re-open discussion, Aric has sought Outdoor Seating, and even in that he has stretched the terms of our earlier discussions:

- 1) 9:00 pm closing time for the Outdoor Area was what he originally proposed to us and now it is 10 pm
- 2) No Smoking was a part of the original proposal, and now we do not see it anywhere on his plan
- 3) The promised trees have never materialized

Is there no one in City Government who cares about the babies and young children whose lives have been greatly altered by this bar?

Why are these families and their homes being sacrificed to the needs of someone whose family can breathe clean air every day when they come home instead of the constant blast of grease spewing from NDB or a future of smoking and drinking patrons?

Why does a business owner who promises to take care of the problems get a pass after he fails to abide by his own agreement?

What is the cost of his loss by closing one hour earlier, planting mature trees, and having "no smoking" compared with the children who will be breathing 2nd hand smoke or whose sleep will be interrupted by noisy drinking parties of up to 16 people sitting essentially in their backyard every single day in the spring, summer, and fall?

Please do not allow this plan to proceed until trees are planted and the neighbors have an assurance that there will be a barrier protecting their families and a No Smoking requirement permanently put in place.

Thank you,
Victoria Straughn

█ Sommers Avenue (one block behind NDB, even we have to contend with the odors)

Wells, Christopher

From: Wendt, Jay
Sent: Friday, April 01, 2016 8:33 AM
To: Wells, Christopher
Subject: FW: Next Door Brewery proposal



Jay Wendt

Principal Planner
City Design & Plan Implementation Section

Department of Planning & Community & Economic Development
Planning Division
Madison Municipal Building - Suite LL.100
215 Martin Luther King, Jr. Blvd.
Madison WI 53701-2985
Email: jwendt@cityofmadison.com Phone: 608.267.8741

In compliance with State public records law, the City of Madison retains copies of ALL email messages to and from this mailbox. Email messages may be released in response to appropriate open record requests.

From: Dean Morse [REDACTED]
Sent: Friday, April 01, 2016 8:23 AM
To: Wendt, Jay
Subject: Next Door Brewery proposal

I write the Plan Commission to request that the proposal to change Next Door Brewery's license allowing outdoor seating be rejected. We the neighbors of NDB already suffer from the awful smells of their deep fat friers. The noise from outdoor seating would be insufferable.

The owner agreed long ago to plant trees along the property to block the smell but has not done it. I would like to put off any outdoor seating until the trees are planted and have established a useful barrier, 2 or 3 years. I would also request the the outdoor seating end a t 9:00 pm and the no smoking be allowed.

Thank you

Dean Morse
[REDACTED] Sommers Ave
Madison WI 53704

Wells, Christopher

From: Wendt, Jay
Sent: Friday, April 01, 2016 10:38 AM
To: Wells, Christopher
Subject: FW: Next Door Brewing outdoor seating proposal: A perspective from an actual neighbor



Jay Wendt

Principal Planner
City Design & Plan Implementation Section

Department of Planning & Community & Economic Development
Planning Division
Madison Municipal Building - Suite LL.100
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Email: jwendt@cityofmadison.com Phone: 608.267.8741

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From: Aleia McCord [REDACTED]
Sent: Friday, April 01, 2016 9:59 AM
To: Wendt, Jay
Cc: Rummel, Marsha
Subject: Next Door Brewing outdoor seating proposal: A perspective from an actual neighbor

Dear Mr. Wendt,

I am writing to request that the Plan Commission do not approve the request from Aric Deiter and NDB to install an outdoor patio 150 feet from my family's home.

There are two significant reasons my family opposes this plan:

1) DISRUPTIONS TO THE NEIGHBORHOOD (noise): We (and our neighbors) purchased and renovated our homes at GREAT personal expense when we thought we lived behind a quiet appliance store. Although we imagined the tenants of this location might change over time—for example perhaps a hair salon, a lawyer's office, or another daytime business would operate in this space—we never imagined that the city would approve such a dramatic change in use for the property. The approval to change this building from a day-time business into a brewpub has already been incredibly disruptive. The increased traffic, noise, light, smoking **including of marijuana pipes RIGHT NEXT TO OUR FENCE (I have a video of this I am happy to share with you)**, and the persistent odor of deep fryer grease—which blows directly into our backyard, has already presented a significant nuisance. As the pregnant mother of a young toddler, I have serious concerns about how the constant inhalation of particulate matter associated with this greasy exhaust affects the health and wellbeing of my young family. On some days, we have to close our windows due to the intolerable stench, and our enjoyment of our outdoor spaces has been greatly diminished. Now we are asked to ensure additional bedtime disruptions with the installation of an outdoor patio? My son's bedroom overlooks the NDB parking lot and noise carries. Also, if the bike racks are moved to closer to our home, will we be subject to closing-time smoking and chatter each night as patrons return to their bikes? **Would you want your children looking out their windows at 7:00pm during bedtime and seeing people smoking marijuana next to your yard? Would you want your children's sleep disrupted by an outdoor patio that closes at 10:00pm every**

night? Can the Plan Commission identify any other restaurant that shares a border with single-family homes that has received approval for nighttime outdoor seating within 150 feet of a residential home? I cannot think of a single example in our neighborhood.

2) DISHONESTY OF THE OWNERS: Since NDB opened its doors, our neighbors have made repeated attempts to negotiate in good faith with Aric to mitigate the negative impacts of NDB. In 2014, Aric agreed to install a **mature tree barrier** at the property line in an attempt to mitigate odor, noise, and light pollution. In return, the neighbors agreed to support NDB's application for reduced kitchen hours. Later on, Aric suggested to the neighbors that in order for NDB to install a tree line, we would also have to agree to reduced kitchen hours AND outdoor seating. The neighbors indicated that they were uncomfortable agreeing to outdoor seating, given that we could not assess the degree to which the tree line would resolve our existing issues. Aric insisted that he understood the need for the tree line, but that he wanted to include the plans for the outdoor patio along with the plans for the tree barrier so that he only needed to pay his landscape designer once. This logic made sense to the neighbors. We agreed that if the tree line was installed AND SUCCESSFUL IN REDUCING ODORS, we would then consider Aric's request for outdoor seating. **The tree line NEVER MATERIALIZED. Aric never followed up with the neighbors, and now he has gone behind our back to request this approval from the ALRC and the Plan Commission without even bothering to inform the neighbors.**

As a neighbor who thought she was negotiating in good faith with the NDB to amicably resolve a local quality of life dispute, I am incredibly upset to see that NDB pushed through an application to the city for outdoor seating without notifying the neighbors or informing us on the status of the tree line. This is a violation of our trust. How can we trust the NDB to behave responsibly in the future? **If you had struggled to negotiate with this business over the past three years and had been misled like this, would you trust them to install outdoor patio right next to your backyard?**

In contrast to NDB, *Bunky's* (Italian restaurant next door to NDB), and *Stalzy's* (restaurant one block down) owners are a model of effective community engagement and responsiveness, and have not been a cause of distress for the neighbors. Why should we reward NDB with additional rule-bending approvals for misleading the neighbors when other businesses in the Atwood area have behaved responsibly and been so respectful?

Thank you for your consideration. I have copies of email communications to support my above assertions that I would be more than happy to share.

Please do not approve this request from NDB. Our city should expect better behavior from our businesses. Aric and NDB need to understand that what makes the Atwood neighborhood special is the spirit of community engagement, openness, and honesty.

Warm wishes,
Aleia McCord
[REDACTED] Sommers Ave

Wells, Christopher

From: Wendt, Jay
Sent: Monday, April 04, 2016 9:37 AM
To: Wells, Christopher
Subject: Fwd: Meeting with NDB BEFORE the Plan Commission Meeting at 5:30??

----- Original message -----

From: V Straughn [REDACTED]
Date: 04/02/2016 12:32 PM (GMT-06:00)
To: "Rummel, Marsha" <district6@cityofmadison.com>, "Wendt, Jay" <JWendt@cityofmadison.com>, Mayor <Mayor@cityofmadison.com>, All Alders <allalders@cityofmadison.com>
Cc: "Fields, Debbie" [REDACTED], Sarah Davis [REDACTED], Aleia McCord [REDACTED], Matthew Hutchison [REDACTED], lisa mitchell [REDACTED], Heather Schaller [REDACTED]
Subject: Meeting with NDB BEFORE the Plan Commission Meeting at 5:30??

Dear Alder Rummel, Plan Commission Members, Mayor Soglin & Alders:

Neighbors of NDB have tried for several years now to talk with NDB owners and come to some reasonable and mutually agreed-upon solutions to the problems we face since the addition of this bar to the neighborhood.

To date, Aric of NDB has not changed his stance. Unlike good neighbors Bunky's and Stalzy's, he will not negotiate anything with his "Next Door" neighbors. His most recent email continues in the same vein: he has entrenched himself and if he meets with us it will be to *instruct us on his intentions*.

With no explanation of how or why Planner Chris Wells came to his conclusions in the Addendum sent by Alder Rummel, we now find new plans that fly in the face of what neighbors are suggesting or asking for! After all that the neighbors have written about this subject over the past several years, **why would Planner Wells make such outrageous suggestions??** (10 pm closing, not 9; smoking allowed until 10 pm instead of No Smoking) Did anyone read our letters??

This process is looking very one-sided, a decision made between business owners and city planners, a sham of democracy. Where is our representation?

Given the above, we do not understand the point of Alder Rummel's suggestion of a 4 pm meeting prior to the Plan Commission on Monday, April 4. What possible goal could there be except to "divide and conquer" our neighborhood unity?

Sincerely,
Victoria Straughn
Dean Morse

On Fri, Apr 1, 2016 at 8:18 PM, Rummel, Marsha <district6@cityofmadison.com> wrote:

Wells, Christopher

From: Wendt, Jay
Sent: Monday, April 04, 2016 9:37 AM
To: Wells, Christopher
Subject: Fwd: Next Door Brewing Proposal

----- Original message -----

From: Sylvia Pfender [REDACTED]
Date: 04/03/2016 12:08 PM (GMT-06:00)
To: "Wendt, Jay" <JWendt@cityofmadison.com>
Cc: "Rummel, Marsha" <district6@cityofmadison.com>, Mayor <Mayor@cityofmadison.com>
Subject: Next Door Brewing Proposal

Dear Plan Commission Members, Alder Rummel and Mayor Soglin,

I am writing this letter as a concerned Madison resident and property owner who resides on a street near the business, Next Door Brewing. I feel it is in the best interests of both residents and business owners to come to an amiable agreement regarding business practises when businesses are in close proximity to residential areas with families, elderly and people of all ages. Many of the current businesses that are part of this community coexist with the residents in this area with no problems. Examples of these businesses are, Bunky's, Stalzy's and Harmony Grill.

It has just recently come to my attention that NDB wants to open up an outdoor seating area. I did not receive any prior notice of this until now.

My concerns include:

- Making sure that the outdoor area has a no smoking restriction (this is essential as this business is located near a residential area)
- Limiting the capacity of outdoor seating (one possibility is to have small tables that mainly accommodate 2-4 people and limit no. of tables to 3)
- Restricting time of outdoor seating area (NDB could just have outdoor seating during the main lunch hour (11-2pm) and dinner hour (5-8pm and have it end by 8pm)
- Constructing a tree barrier adjacent to the back fence area (this would reduce both noise and odor problems that has been an issue particularly during the seasonable time of year when residents have windows open and utilize their backyards more).

I was happy to hear that NDB is planning to landscape the area around the outdoor patio and would hope that could include greenery (tree line) to the area closest to the back fence as well.

Sincerely,

Sylvia Pfender

Wells, Christopher

From: Rummel, Marsha
Sent: Monday, April 04, 2016 1:02 PM
To: Wells, Christopher
Subject: Fwd: Next Door Brewing

Begin forwarded message:

From: John Ferrick [REDACTED]
Date: April 4, 2016 at 12:24:23 PM CDT
To: district6@cityofmadison.com
Subject: Next Door Brewing

Dear Alderperson Rummel,

I am writing this email in support of the neighbors around the Next Door Brewing company and their opposition to the NDB company request for outdoor seating. I can remember several years ago prior to NDB opening, meetings regarding the business plan of the NDB company and specifically remember that they said that in now way were they going to be looking to have outdoor seating as a part of their business plan. I also remember them talking about limited outdoor noise, lighting etc. and so have been unaware that all of this has changed and that in the course of the change the neighbors have not been a part of any discussion regarding these changes. Consequently, I was very surprised to just learn that NDB is coming before the Planning Commission tonight for permits pertaining to these issues. I want to strongly express my displeasure of the NDB request especially given the history in which they first got approval to open and then their lack of neighbor input into their current proposals.

If any additional input is needed, please do not hesitate to contact me.

Regards,

John Ferrick,
Concerned Neighbor