



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

215 Martin Luther King Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

June 25, 2019

Bill Rogers  
Brewers Showcase Inc. dba/The Malt House  
2609 E Washington Avenue  
Madison, WI 53704

RE: Legistar #55908; Accela ID: 'LNDUSE-2019-00044' -- Approval of a Conditional Use to allow free-standing vending in a tavern parking lot within 200 feet of a residential use in Urban Design District #5 at 2609 East Washington Avenue.

Dear Mr. Rogers:

At its June 24 2019 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to allow free-standing vending in a tavern parking lot within 200 feet of a residential use at **2609 East Washington Avenue**, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

**Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following item:**

1. The applicant shall provide a separate plan for each cart placement scenario; the plan shall specify the location and number of carts and provide a 5 foot wide, ADA compliant walkway to the service window of the proposed carts.

**Please contact Jacob Moskowitz, the Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following two (2) items:**

2. Free-standing vending shall be limited to the highlighted areas of the site plan. Use of the entire parking lot for free-standing vending for special events requires a temporary use permit approval.
3. The free-standing vending operation shall follow Supplemental Regulations Section 28.151 for Free-Standing Vending.

**Please contact Bill Sullivan of the Fire Department at (608) 261-9658 if you have any questions regarding the following item:**

4. The use of propane within 10-ft of a being would not be allowed. Provide dimensions from the carts to the buildings and information on the source for cooking & heating.

**Please contact my office at (608) 243-0554 if you have any questions regarding the following three (3) items:**

5. Approval for free-standing vending on this site does not modify the approved tavern and outdoor eating area conditions of approval.
6. No additional outdoor amplified sound (from music, televisions, etc.) shall be allowed in the parking lot as part of this conditional use.
7. The applicant shall submit a revised site plan with more detail on the exact location of each free-standing vendor, demonstrating the ability to have the maximum of five (5) carts total, to be approved by Planning, Zoning, Traffic Engineering, and the Fire Department. Staff encourages the applicant to cluster the carts and located them as far from dwelling units as practical.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**Please now follow the procedures listed below for obtaining your conditional use:**

1. Please revise your plans per the above conditions and submit **seven (7) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, 215 Martin Luther King Jr. Boulevard. **This submittal shall all also include one complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions

which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.

- The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at (608) 243-0554.

Sincerely,



Sydney Prusak  
 Planner

- cc: Brenda Stanley, Engineering  
 Jeffery Quamme, Engineering Mapping  
 Sean Malloy, Traffic Engineering  
 Jacob Moskowitz, Zoning  
 Bill Sullivan, Fire Department  
 Janine Glaeser, Urban Design Commission

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for the conditional use permit.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>
---

<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (Prusak)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	