



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 312 North Third Street (District 12 – Ald. Palm)  
**Application Type:** Conditional Use  
**Legistar File ID #** [40172](#)  
**Prepared By:** Kevin Firchow, AICP, Planning Division  
Report Includes Comments from other City Agencies, as noted  
**Reviewed By:** Jay Wendt, Principal Planner

## Summary

**Applicant and Contact:** Jenny Gatzke; The Crafty Project; 154 Weybridge Drive; Sun Prairie, WI 53590

**Property Owner:** Schoelkopf LLC; 402 Gammon Place Suite 320; Madison, WI 53716

**Requested Action:** The applicant requests conditional use approval to establish a tavern in an NMX-zoned property in Urban Design District 4.

**Proposal Summary:** The applicant seeks conditional use approval to establish a tavern. The use is further described in the letter of intent as an art studio that serves beer and wine to class participants. While not a traditional tavern, the Zoning Administrator has determined that the proposed use meets the Zoning Code definition of a “tavern” and as such, conditional use approval is required prior to establishing this use as proposed.

**Applicable Regulations & Standards:** Taverns are identified as a conditional use in the NMX (Neighborhood Mixed-Use) Zoning District and is subject to the standards for Conditional Uses [MGO Section 28.183(6)]. This request is also subject to the supplemental regulations for taverns which state that they shall operate consistently with the requirements of a valid alcohol license issued by the City. The alcohol license for this facility was approved on September 1, 2015. This project is also within Urban Design District 4 and subject to the design standards of that Section [MGO Section 28.24(11)] Due to the limited exterior physical changes, this request has been reviewed by the Urban Design Commission Secretary on behalf of the Commission as allowed for in Section 33.24(4)(g) of MGO].

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that conditional use standards met and **approve** the request to establish a tavern in the NMX (Neighborhood Mixed-Use) Zoning District at 312 North Third Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

## Background Information

**Parcel Location:** The 24,049 square foot subject property is located at the intersection of Pennsylvania Avenue and North Third Street. The site is within Aldermanic District 12 (Ald. Palm), Urban Design District 4, and within the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The subject site includes an existing one-story, 8,900 square foot multi-tenant building.

**Surrounding Land Use and Zoning:**

North: Industrial properties, zoned IL (Industrial Limited District);

South: Occupy Madison “Tiny House” production and residential site, zoned PD (Planned Development District);

East: Gas Station, zoned PD; and

West: Industrial properties, zoned IL (Industrial Limited District).

**Adopted Land Use Plan:** The Comprehensive Plan (2006) recommends low density residential development. The Emerson East-Eken Park Neighborhoods Plan (1998) recommends that the property immediately to the south be rezoned from Highway Commercial to Neighborhood serving commercial. The subject property, immediately to the north was not recommended to have its industrial zoning changed.

**Zoning Summary:** The property is zoned NMX (Neighborhood Mixed Use District).

Requirements	Required	Proposed
Front Yard Setback	25' maximum	Adequate, existing building
Side Yard Setback: Where proposed buildings or abutting buildings have window openings in side wall(s) within 6 feet of lot line.	One-story: 5'	Adequate, existing building
Rear Yard Setback	20'	Adequate, existing building
Maximum Lot Coverage	75%	Adequate, existing building
Maximum Building Height	3 stories, 40'	1 story existing
Number Parking Stalls	None	25
Accessible Stalls	Yes	1
Loading	None	None
Number Bike Parking Stalls	Arts schools: 1 space per 5 students (TBD) Offices, general retail, service business: 1 per 2,000 sq. ft. floor area (4)	Yes (TBD)
Landscaping	None	Existing landscaping
Lighting	None	Existing lighting
Building Forms	None	Existing building
<b>Other Critical Zoning Items</b>	Urban Design District 4, Barrier Free (ILHR 69), Utility Easements	

*Table Prepared By Jenny Kirchgatter, Assistant Zoning Administrator*

**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.

**Project Description, Analysis, and Conclusion**

The applicant requests approval to establish a tavern within a multi-tenant building zoned NMX (Neighborhood Mixed- Use District). This request is subject to the approval standards for conditional uses.

The Zoning Administrator has determined that this is considered a “tavern” under the Zoning Code. As described in the letter of intent, the use is not a traditional tavern but rather an art studio space that holds classes. Beer and wine would be available for sale to class participants. From an operations standpoint, no alcohol would be served after 10:00 pm, nightly. Further, the letter of intent notes that class attendees must register in advance.

The subject site is within a 932 square foot tenant space within a multi-tenant building. No changes are proposed to the exterior of the building. The only proposed site plan modification is the removal of an automobile parking stall and replacement with bicycle parking.

The project is within Urban Design District 4 and this request has been reviewed by the Urban Design Commission Secretary on behalf of the Commission as allowed for in Chapter 33.24(4)(g) of Madison General Ordinances. Considering the very limited physical changes proposed, the Planning Division and Urban Design Commission Secretary believe the broad standards within UDD 4 are met.

Based on the submitted information, the Planning Division does not anticipate that this use will result in significant impacts on surrounding properties. At the time of report writing, staff was not aware of any concerns on this request. An alcohol license was approved by the Common Council on September 1, 2015.

## Recommendation

### Planning Division Recommendation (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that conditional use standards met and **approve** the request to establish a tavern in the NMX (Neighborhood Mixed-Use) Zoning District at 312 North Third Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

### **Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

### City Engineering Division (Contact Brenda Stanley, 261-9127)

A report was submitted with no recommended conditions of approval.

### Traffic Engineering Division (Contact Eric Halvorson, 266-6572)

1. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
2. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

3. Traffic Engineering will no longer be accepting to ensure a timely review all submittals will include an electronic copy (.pdf preferred).

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

4. Show the refuse enclosure area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the refuse enclosure screening.
5. Bicycle parking is required per Sections 28.141(4)(g) and 28.141(11). Work with Zoning staff to provide the minimum number of required bicycle parking stalls. A minimum of one (1) bike stall is required per five (5) persons attending a class. Bicycle parking is also required for the other tenant spaces in the building. Submit a detail showing the model of bike rack to be installed.

**Fire Department** (Contact Bill Sullivan, 261-9658)

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| 6. Verify building addresses comply with Madison General Ordinances. Confirm with City Engineering. |
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**Water Utility** (Contact Dennis Cawley, 261-9243)

7. This property is not located 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. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.

**Parks Division** (Contact Kay Rutledge, 266-4714)

This agency did not submit comments for this request.

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

This agency did not submit comments for this request.