



Department of Planning & Community & Economic Development

## Planning Division

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**\*\*BY E-MAIL ONLY\*\***

January 15, 2025

Kevin Burow  
Knothe & Bruce Architects, LLC  
8401 Greenway Boulevard, Suite 900  
Middleton, Wisconsin 53562

RE: Consideration of a conditional use in the Urban Mixed-Use (UMX) District for restaurant-nightclubs; consideration of a conditional use for an outdoor eating area open after 9:00 PM for restaurant-nightclubs; consideration of a conditional use in the UMX district for an outdoor eating area for restaurant-nightclubs with amplified sound; and consideration of a conditional use in the UMX district for outdoor recreation, all to allow an outdoor eating area to be shared by two adjacent restaurant-nightclubs to operate after 9:00 PM with outdoor musical performance, six temporary outdoor events in the parking lot, and outdoor recreation (sand volleyball) at 506-518 E Wilson Street and 132-150 S Blair Street. (LNDUSE-2024-00104; ID 86417)

Dear Kevin,

On January 13, 2025, the Plan Commission found the standards met and **approved** your conditional use requests for 506-518 E Wilson Street and 132-150 S Blair Street subject to the conditions that follow. Prior to issuance of building permits for your project, the conditions of approval in the following sections shall be satisfied:

**Please contact my office at (608) 261-9632 if you have questions regarding the following conditions, including the condition modified by the Plan Commission (#2) and the condition added (#11):**

1. That the conditional uses for outdoor recreation (sand volleyball) and an outdoor eating area for the restaurant-nightclubs at 506-518 E Wilson Street and 150 S Blair Street are hereby approved for calendar year 2025 only and shall expire at 11:59 PM on December 31, 2025, after which time new approvals by the Plan Commission shall be required.
2. All of the events and services governed by this approval shall not start before the listed start time and shall end and the area cleared of attendees and outdoor amplified sound and use of sound-producing devices stopped by the end time enumerated as follows:
  - Outdoor events/festivals, which shall not start before 11:00 AM and shall end by 9:00 PM.
  - Outdoor live music/performance events on **Sunday and Monday** only; these events shall not start before 4:00 PM, and shall end by 9:00 PM.

- Outdoor recreation shall only be allowed between 5:30-10:30 PM on Monday–Friday and from 12:00-9:00 PM on Sunday.
  - All other food and beverage service in the Summer Seasonal Layout Plan may commence at 10:30 AM Monday–Friday and at 9:00 AM on Saturday, Sundays, and on City holidays; all service in the outdoor eating area shall end by 12:00 AM midnight seven days a week. No amplified sound shall be allowed in the outdoor eating area after 9:00 PM seven days a week.
  - In the future, the Director of the Planning Division may consider a minor alteration to the conditional uses to further modify the hours of operation for the outdoor eating and recreation area following a recommendation by the district alder.
3. When not associated with an approved outdoor live music/performance event, outdoor recreation, or outdoor events/festivals, no outdoor amplified sound or similar sound-producing devices shall be allowed in the parking lot. (For example, no outdoor amplified sound or similar sound-producing devices shall be allowed for sand volleyball on Sunday at 2:00 PM or Tuesday at 7:15 PM.) No amplified sound of any kind (from radios, televisions, etc.) shall be allowed in the seated outdoor eating area adjacent to the Come Back In and Essen Haus after 9:00 PM seven days a week.
  4. Doors to the establishments from the outdoor eating area shall not be propped open at all times to limit indoor noise from the establishments.
  5. Outdoor events/festivals using the Event Plan Layout (Sheet C-1.1) are limited to the six (6) events listed in the letter of intent. At all other times, the standard Seasonal Summer Layout Plan shall be used. No additional outdoor events/festivals shall be allowed unless approved by the Plan Commission.
  6. Only one performance space/stage allowed. For the Summer Seasonal Layout Plan (Sheet C-1.2), it shall be located between the Essen Haus and Hotel Ruby Marie/Up North Bar to provide greater distance between the stage and nearby residential properties.
  7. The applicant shall clarify how notice will be given for the six (6) outdoor events/festivals. The means of communicating the nature and timing of those outdoor events/festivals shall be approved by the Planning Division in consultation with the district alder.
  8. Meet applicable building/fire codes. The outdoor capacity shall be established prior to final approval and use of the outdoor areas. Occupancy is established by the Building Inspection Division.
  9. Separate approvals shall be obtained from the Alcohol License Review Committee and Common Council for the entertainment and liquor licenses needed to govern the use of the parking lot for the uses and events outlined in this request. The applicant shall work with Zoning, Planning Division, and City Clerk's Office staff to ensure that any restrictions on the conditional uses (hours, events, capacity, etc.) are reflected in the licenses for the three restaurant-nightclubs per MGO Chapter 38. Nothing in this zoning approval shall be construed as approval of the required entertainment and liquor licenses.

10. Note: Approval of any exterior alterations related to the proposed outdoor uses not previously approved by the Urban Design Commission shall be approved by the Urban Design Commission or its secretary prior to issuance of building permits.
11. All outdoor live music/performance events on the site are approved from May 15 to September 15 only consistent with the Plan Commission's 2024 approval. This restriction does not apply to Maifest and Oktoberfest (as outlined in the December 3, 2024 letter of intent), which may occur before May 15 and after September 15.

**The use of the parking lot for the outdoor events shall not occur until the applicant has met the conditions of approval outlined herein and signed the letter of approval.**

**Separate approvals shall be obtained from the Alcohol License Review Committee and Common Council for the entertainment and liquor licenses needed to govern the use of the parking lot for the uses and events outlined in this request.**

**Please now follow the procedures listed below for obtaining permits for your project:**

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to [sprapplications@cityofmadison.com](mailto:sprapplications@cityofmadison.com). (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the **site plan review fee** shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve 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 Plan Commission and the conditional use standards.
5. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com).

Sincerely,



Timothy M. Parks  
Planner

cc: Katie Bannon, Zoning Administrator  
Jacob Moskowitz, Assistant Zoning Administrator  
Matt Tucker, Building Inspection Division  
Jim Verbick, City Clerk's Office

I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner  
(If Not Applicant)*

LNDUSE-2024-00104			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator
<input type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: