



PREPARED FOR THE PLAN COMMISSION

Project Address: 1380 Williamson Street (District 6 – Ald. Rummel)
Application Type: Conditional Use
Legistar File ID # [41148](#)
Prepared By: Kevin Firchow, AICP, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Jay Wendt, Principal Planner

Summary

Applicant | Contact | Owner: Gilbert Altschul, 16 Bars LLC; 1380 Williamson Street; Madison, WI 53703

Requested Action: The applicant requests conditional use approval to establish a restaurant-nightclub in an existing building.

Proposal Summary: In December 2015, the Common Council conditionally approved an entertainment license for Gib’s Bar, after a favorable recommendation from the Alcohol License Review Committee (ALRC). Per the Zoning Code’s definition, a tavern with an entertainment license is considered a “restaurant-nightclub.” To legally establish this use, the applicant must change the approved use from a “restaurant-tavern,” as currently approved, to a “restaurant-nightclub.” Restaurant-nightclubs are listed as a conditional use in the TSS (Traditional Shopping Street) zoning district. No changes to the site or building plans are proposed as part of this request. Note this request is NOT for a shared outdoor eating area between Gib’s Bar and the adjacent Grandpa’s Pizzeria. That request, which has been presented at neighborhood meetings would require a separate conditional use application.

Applicable Regulations & Standards: Restaurant-nightclubs are identified as a conditional use in the TSS Zoning District. This proposal is subject to the standards for Conditional Uses [MGO Section 28.183(6)].

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 restaurant-nightclub in the TSS (Traditional Shopping Street) Zoning District at 1380 Williamson Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The 3,841 square foot subject property is located on the north side of Williamson Street, midblock between South Baldwin and Dickenson Streets. The site is within Aldermanic District 6 (Ald. Rummel), the Third Lake Ridge Historic District, and is within the limits of the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site includes an existing two-story, former residential structure that was converted into a restaurant-tavern in 2014.

Surrounding Land Use and Zoning:

North: Single-family homes zoned TR-C4 (Traditional Residential-Consistent 1 District);

South: Commercial, restaurant, and residential development zoned TSS (Traditional Shopping Street);

East: Hardware store, zoned TSS; and

West: Restaurant with other mixed-use buildings, beyond, zoned TSS.

Adopted Land Use Plan: The Comprehensive Plan (2006) recommends neighborhood mixed use development for the subject site and surrounding properties on Williamson Street.

Zoning Summary: The property is zoned TSS (Traditional Shopping Street District). No further information was available at the time of report writing.

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 restaurant-nightclub in a property zoned TSS (Traditional Shopping Street District). This request is subject to the approval standards for Conditional Uses.

The subject site is home to Gib's Bar, established as a permitted restaurant-tavern in 2014. The applicant seeks the necessary approvals to allow DJs to play music past midnight. Such a request requires two approvals. The first approval is an entertainment license, which was granted by the Common Council, after favorable recommendation from the Alcohol License Review Committee (ALRC). That approval, granted in December 2015, was conditioned upon the following:

- The license is limited to DJs playing music on the current sound and speaker system with no additional amplification
- The license is not transferrable to potential future owners upon sale of the establishment

The second necessary approval is a conditional use to establish a restaurant-nightclub. Restaurant-nightclubs are listed as conditional uses in the TSS (Traditional Shopping Street) zoning district and this is the request now before the Plan Commission. By definition of the Zoning Code, the difference between a restaurant-tavern, as currently approved, and a restaurant-nightclub is the holding of an entertainment license.

No changes to the site or exterior are proposed with this application. Hours of operation will remain as approved (4:00 pm-1:30 am Tuesday through Thursday and 4:00 pm through 2:00 am Friday and Saturday and 4:00 pm and 12:00 am Sunday and Monday).

Note this request does NOT include a shared outdoor eating area between Gib's Bar and the adjacent Grandpa's Pizzeria. That request, which has been presented at neighborhood meetings, would require a separate conditional use application.

While the site is in close proximity to residentially zoned properties, the Planning Division does not anticipate the establishment of this use, as limited by the above conditions, will result in significantly different impacts

than what has been occurring as a restaurant-tavern. As a conditional use, the Plan Commission retains continuing jurisdiction meaning that should concerns be raised, the Plan Commission could reconsider this item.

Staff believes the applicable standards can be met. The applicant's materials include a copy of a support letter from the President of the Marquette Neighborhood Association, previously provided to the ALRC.

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 restaurant-nightclub in the TSS (Traditional Shopping Street) Zoning District at 1380 Williamson 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

Planning Division (Contact Kevin Firchow, (608) 267-1150)

1. That changes to the entertainment license, which is now limited DJs playing music on the current sound and speaker system with no additional amplification, shall require approval of an alteration to this conditional use.
2. That this conditional use is not transferrable to potential future owners upon sale of the establishment.

City Engineering Division (Contact Brenda Stanley, (608) 261-9267)

This agency submitted a report with no recommended conditions of approval.

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

This agency did not submit comments for this request.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

Comments were not received in time to be included within this report.

Fire Department (Contact Bill Sullivan, 261-9658)

3. Occupant load shall remain at 49 or less or install a fire sprinkler system. Occupant load includes patrons, employees, and musical guests.

Water Utility (Contact Dennis Cawley, 261-9243)

4. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21.

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 submitted a report with no recommended conditions of approval.