



City of Madison

Proposed Conditional Use

Location

410 East Wilson Street

Project Name

Cleveland's Diner Remodel

Applicant

Edward Linville - Cleveland Assoc. LLC/
Beth Fatsis - Cleveland's Diner Inc

Existing Use

Restaurant - Cleveland's Diner

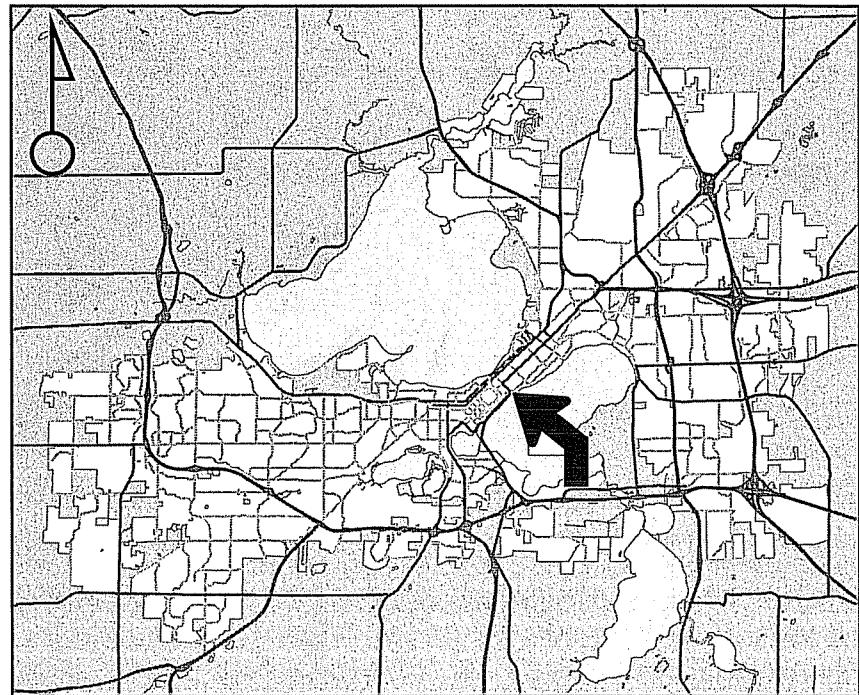
Proposed Use

Outdoor Eating Area

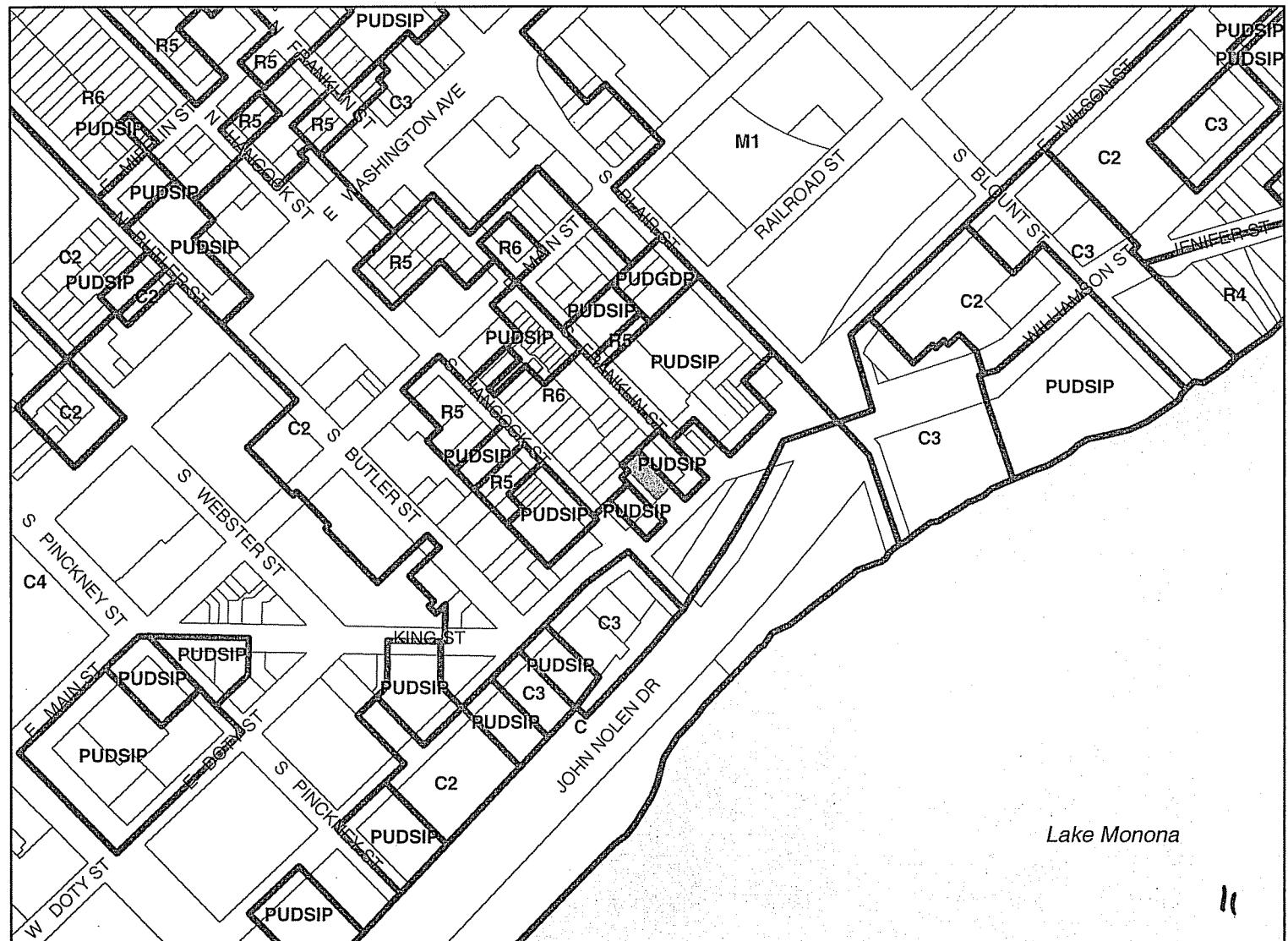
Public Hearing Date

Plan Commission

01 October 2007



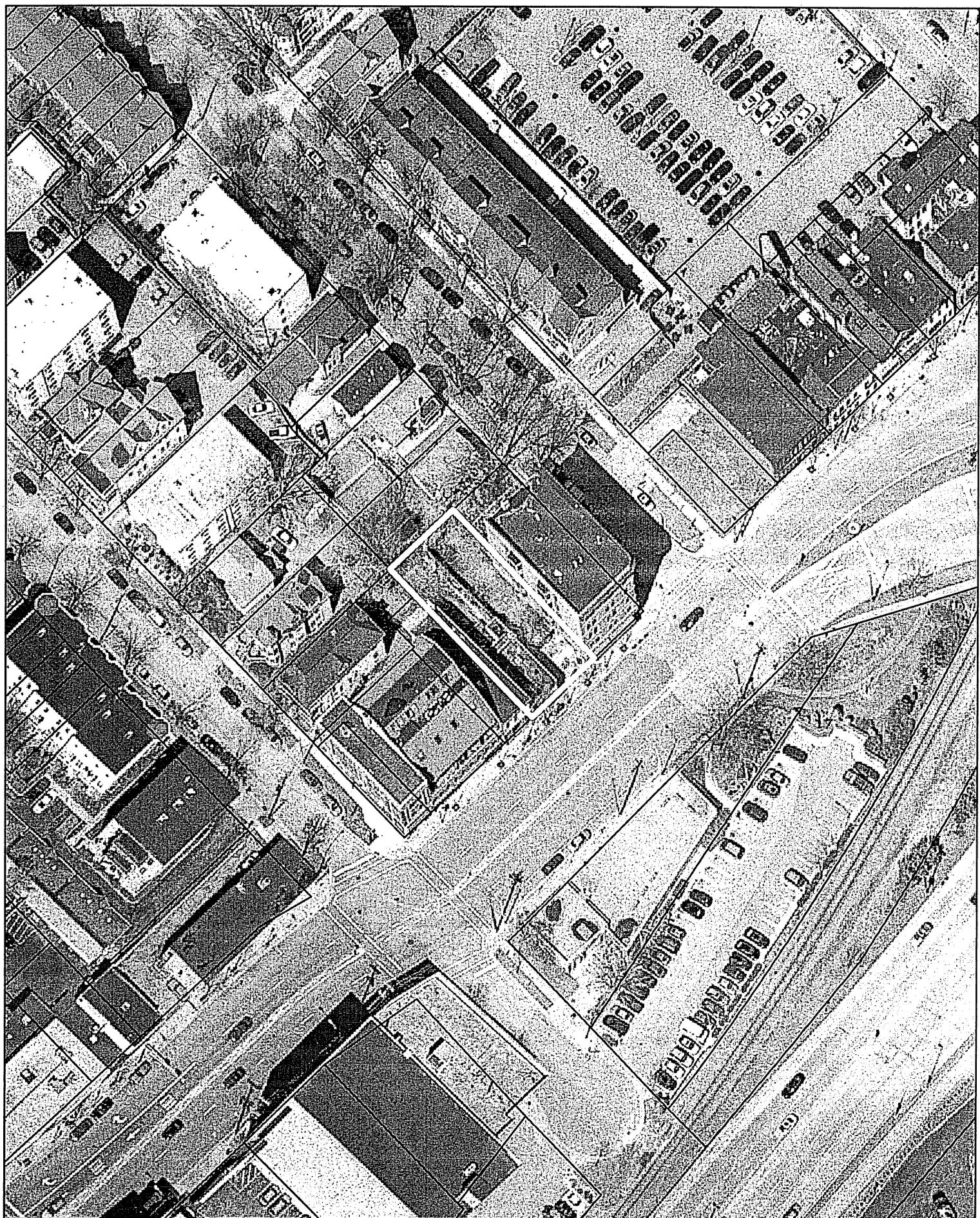
For Questions Contact: Kevin Firchow at: 267-1150 or kfirchow@cityofmadison.com or City Planning at 266-4635





City of Madison

410 East Wilson Street



Date of Aerial Photography : April 2005

LAND USE APPLICATION

Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100

PO Box 2985; Madison, Wisconsin 53701-2985

Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.

FOR OFFICE USE ONLY:

Amt. Paid 550 Receipt No. _____

Date Received 8/15/07

Received By MOP

Parcel No. 0709-133-1820-4

Aldermanic District 6 - MARSHA RUMMEL

GQ ADD TO LANDMARKS

Zoning District C 2

For Complete Submittal

Application ✓ Letter of Intent ✓

IDUP — Legal Descript. ✓

Plan Sets ✓ Zoning Text —

Alder Notification 5/24/07 Waiver NA

Ngbrhd. Assn Not. 5/27/07 Waiver NA

Date Sign Issued _____

1. Project Address: 410 E. Wilson St, 53703 Project Area in Acres: less than 1 acre

Project Title (if any): Cleveland's Diner remodel - OUTDOOR EATING

2. This is an application for: (check at least one)

Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)

Rezoning from _____ to _____

Rezoning from _____ to PUD/PCD-SIP

Rezoning from _____ to PUD/PCD-GDP

Rezoning from PUD/PCD-GDP to PUD/PCD-SIP

Conditional Use

Demolition Permit

Other Requests (Specify): _____

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Beth Fatsis Company: Cleveland's Diner, inc

Street Address: 1215 E. Johnson St City/State: Madison WI Zip: 53703

Telephone: (608) 345-5070 Fax: () Email: bfatsis@verizon.net

Project Contact Person: Beth Fatsis Company: Cleveland's Diner inc.

Street Address: 410 E. Wilson St City/State: Madison WI Zip: 53703

Telephone: (608) 345-5070 Fax: () Email: bfatsis@verizon.net

Property Owner (if not applicant): Cleveland Assoc. LLC (Edward Linville)

Street Address: 408 E. Wilson st City/State: Madison WI Zip: 53703

4. Project Information:

Provide a general description of the project and all proposed uses of the site: Site is currently a breakfast + lunch restaurant. A remodel of restaurant is proposed, which also entails a new patio behind buildings of 408 + 410 E. Wilson. Patio will be for outdoor restaurant seating.

Development Schedule: Commencement Fall 2007

Completion Fall - Winter 2007

CONTINUE →

5. Required Submittals:

Site Plans submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:

- **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
- **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
- **One (1) copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper

Letter of Intent: **Twelve (12) copies** describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.

Legal Description of Property: Lot(s) of record or metes and bounds description prepared by a land surveyor.

Filing Fee: \$ 550⁰⁰ See the fee schedule on the application cover page. Make checks payable to: City Treasurer.

IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:

For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.

A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate INCLUSIONARY DWELLING UNIT PLAN application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.

A Zoning Text must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

FOR ALL APPLICATIONS: All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as INDIVIDUAL Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

6. Applicant Declarations:

Conformance with adopted City plans: Applications shall be in accordance with all adopted City of Madison plans:

→ The site is located within the limits of _____ Plan, which recommends:
N/A per planning + zoning staff _____ for this property.

Pre-application Notification: Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:

→ List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:

Alder - Marsha Rummel / Neighborhood Assn. Pres - Ledell Zellers / 5/24/07 BOTH NOTIFIED

If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.

Pre-application Meeting with staff: Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.

Planner Tim Parks Date 5/22/07 Zoning Staff Matt Tucker Date 5/22/07

The signer attests that this form has been completed accurately and all required materials have been submitted:

Printed Name

Beth Fatsis

Date 8/14/07

Signature

Beth Fatsis

Relation to Property Owner

Tenant

Authorizing Signature of Property Owner

D. Donald Jantz

Date Aug 14, 2007

Conditional use permit letter of intent

Aug. 14, 2007

From: Telly Fatsis & Beth Fatsis, Cleveland's Diner Inc.
410 E Wilson St.
Madison WI 53703
(608) 251-4455

Contact Person: Beth Fatsis at (608) 345-5070

Address of Conditional Use request: 410 E Wilson St., Madison WI

Existing use & condition: The building is currently used for a restaurant (breakfast/lunch diner). Approx. indoor dimensions: 1250 square feet. Approx. dimensions of entire site of 410 E. Wilson are less than one acre. The outdoor area is a yard, which adjoins both 410 and 408 E Wilson (occupied by Linville Architects). Yard is covered with gravel, and graded for drainage. Yard is bordered by a wooden privacy fence on side adjacent to Cardinal Apartments, by a chain link fence in back (with a gate), and by the buildings of 410 and 408 E. Wilson on the remaining 2 sides. Yard currently has no business function.

Owner of real estate at 410 E. Wilson: Cleveland Associates LLC (Edward Linville, partner)

Owner of restaurant: Cleveland's Diner, Inc, (Telly Fatsis, Beth Fatsis owners & corporate officers)

Architect: Linville Architects, 408 E Wilson St, Madison

Contractor: Commercial Interior Contractors, Madison WI 575-5537

Business Manager: Beth Fatsis 345-5070

Owners of restaurant wish to convert the breakfast-lunch diner into a casual Greek-themed restaurant which will serve the neighborhood with indoor seating, outdoor seating, and take-out. This project entails redecorating the interior of the restaurant, a new front façade (doors & windows), and re-configuration of the restaurant equipment (including the ventilation hood) so as to fit it entirely in the back prep area. Interior of restaurant will seat approx. 45 persons. The name of the restaurant will be changed to "Plaka"

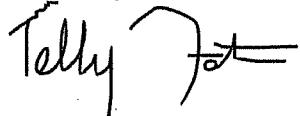
Conditional use permit request is to build a patio in the existing yard, and operate on outdoor café during the warmer months, Outdoor café will be accessed through the restaurant by the back door, and by the back gate for ADA accessibility. The back gate will also serve as an emergency exit. The back gate is accessible via driveway at 142 S. Franklin St, for which there exists an easement. Both food & alcohol will be served on the outdoor café. An alcohol license has already been secured by the restaurant owners, which allows for alcohol consumption on this proposed patio. Patio will be one level; an 8-ft wooden privacy fence will surround the patio on the sides not bordered by buildings. Dimensions are approx. 16 x 35 feet, with additional patio seating behind adjacent property at 408 E. Wilson. The dimensions of this additional area are approx. 11 x 20 feet. (There will be a single L-shaped patio, which extends behind both 408 and 410 E. Wilson St.) Outdoor capacity is approx. 34 seats. The patio will be landscaped with potted plants. Outdoor lighting plan: lantern-style wall lamps to be installed on the perimeter of the patio, affixed to the posts of the privacy fence. Special focus will be on making the door and gate areas are properly illuminated. Parking will continue as it is now: street parking; however we intend to rely heavily on walking and bicycle traffic too.

The planned operation of the restaurant is from 4pm – 10pm weeknights, and from 4pm – 1:00am on Friday and Saturday. Lunch hours may be added at a later date. Understanding that we are operating in a mixed commercial/residential neighborhood, we are prepared to limit the hours of the outdoor patio to a closing time of 10:00 pm as a condition of use. The restaurant will keep the kitchen open to within 15-20 minutes of closing time. Cigarette smoking will be allowed on the patio. Staffing will consist of 2-3 people in the kitchen, 1 bartender, and 2-3 servers, in addition to general manager Telly Fatsis. Food served will be Greek style: (kebobs, gyros, appetizers, grilled meats and fish, salads, casseroles, desserts).

Owner Telly Fatsis has been operating Cleveland's Diner at 410 E Wilson since 1995. He will be the general manager of Plaka, and will be at the restaurant daily to supervise all activities. Owners are residents of Madison, and own a similar restaurant in an adjoining community. Owners are very "hands on" type of owner/managers and wish to continue having a successful relationship with the City of Madison, and within the neighborhood.

If there are more questions, please contact Beth Fatsis at 345-5070.

Sincerely,



Telly Fatsis, Vice President
Cleveland's Diner, Inc.



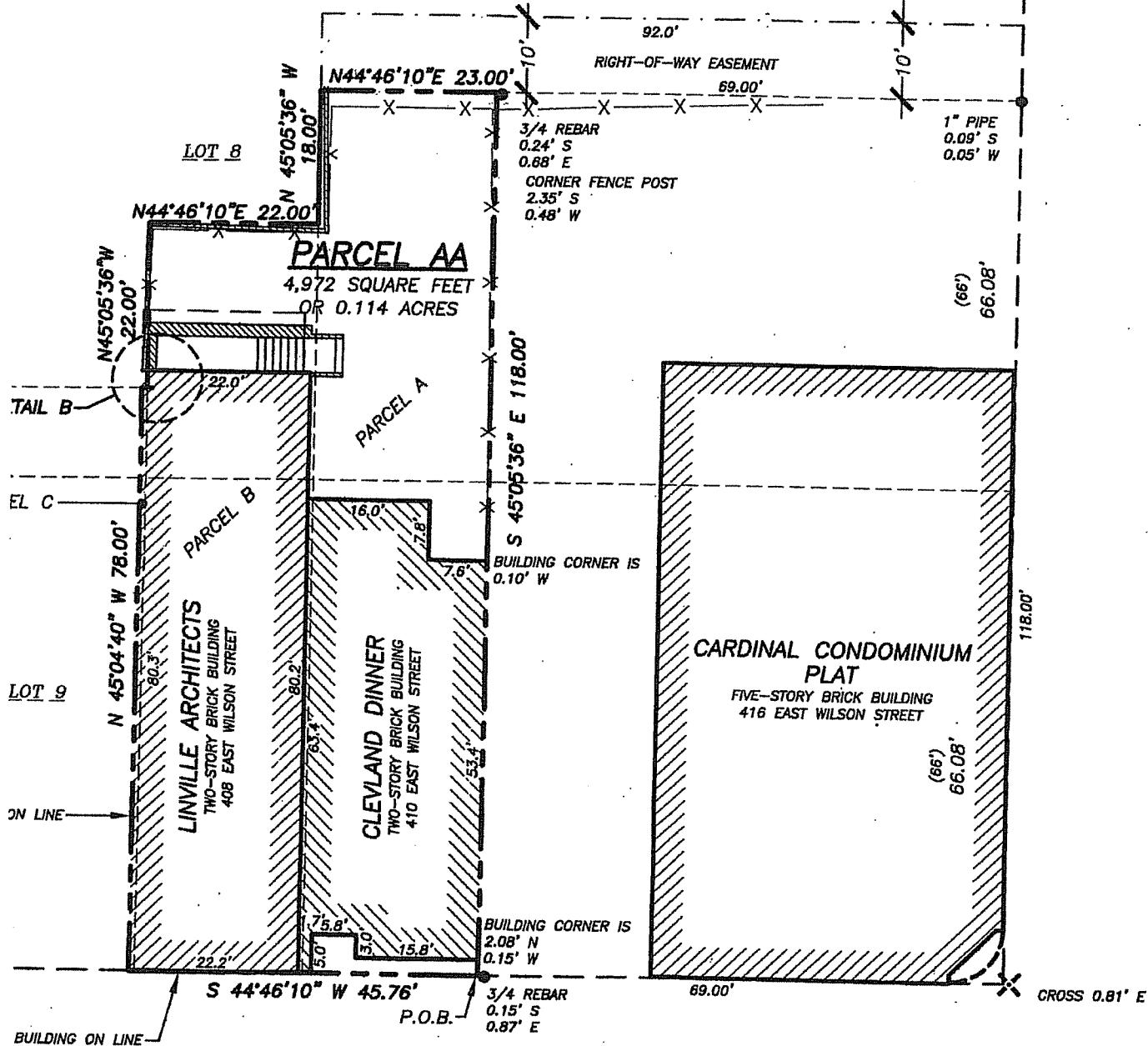
Beth Fatsis, President
Cleveland's Diner, Inc.

E Wilson Legal Description:
 ORIGINAL PLAT, BLK 268, SE 52 FT
 OF SW 23 FT OF NE 92 FT OF LOT 8
 & SW 23 FT OF NE 92 FT OF LOT 9.

3/4" REBAR

268

RIGHT-OF-WAY EASEMENT, VOL. 265 OF MISC., PAGE 495, DOC. No. 867233

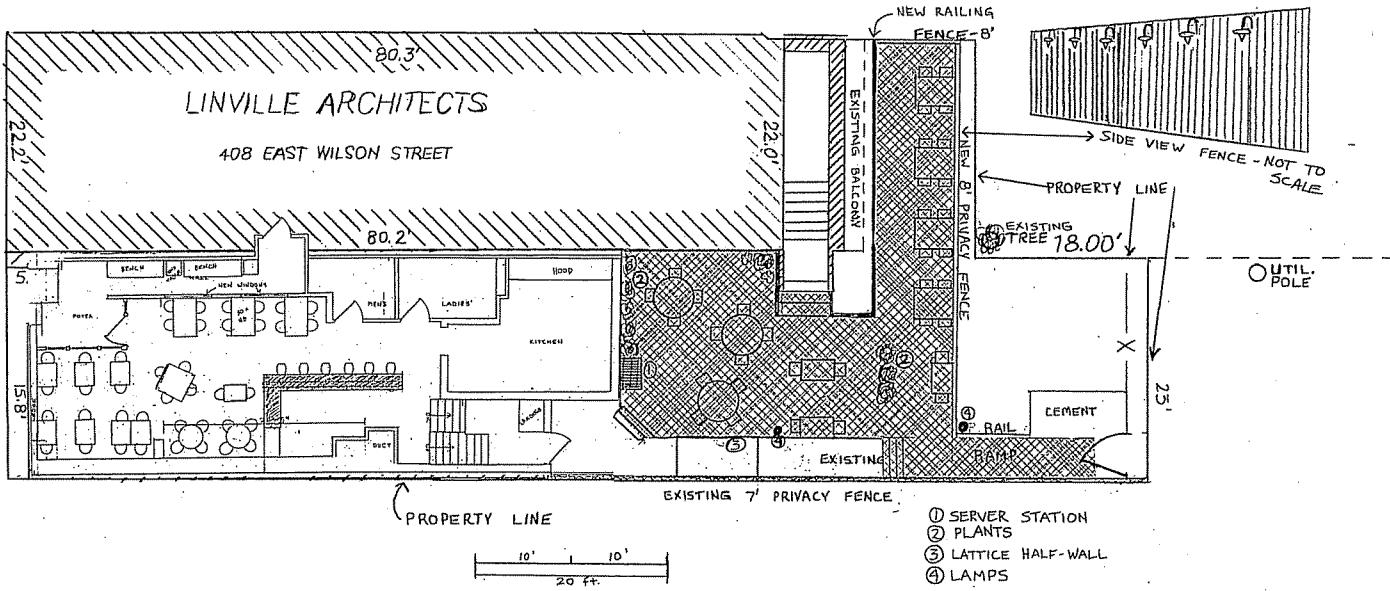


EAST WILSON STREET - SURVEY

33

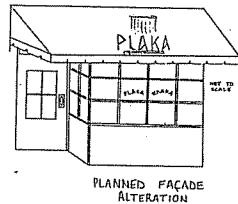
1" = 20'

11

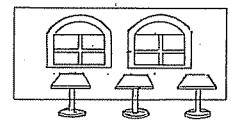


CLEVELAND'S DINER, INC.
dba "PLAKA"
410 E. WILSON ST. MADISON 53703
AUG. 12, 2007

1" = 20'



PLANNED FAÇADE ALTERATION



INTERIOR SIDE WALL (WEST) - PLANNED WINDOWS
(NOT TO SCALE)

11

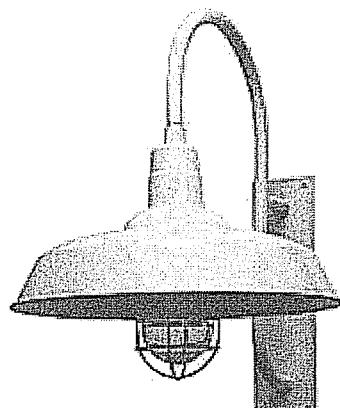
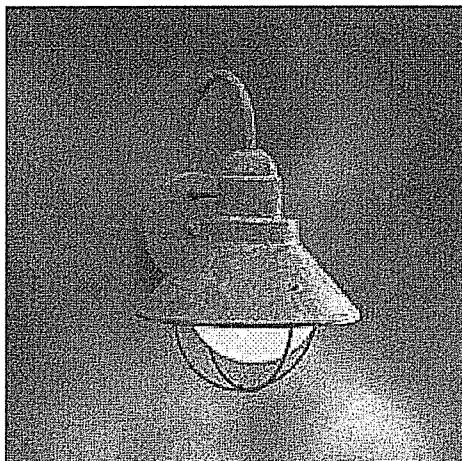
Firchow, Kevin

From: BETH FATSIS [bfatsis@verizon.net]
Sent: Tuesday, September 25, 2007 1:44 PM
To: Firchow, Kevin
Subject: Re: Plaka Outdoor Eating

Kevin:

We propose two outdoor lantern-type of lights at locations marked "4" on diagram, which will be either mounted on the fence or pole-mounted with the electricals going under the deck. In addition, the length of fence at the back of 408/410 E. Wilson will have some lamps installed (no more than 6, but possibly less than 6). These will be line-voltage outdoor lamps (i.e. porchlights), on dimmers. In addition, there currently is a goose-neck type of lamp over the back door of the restaurant leading to the patio.

The lamps will be something along these lines, but I haven't chosen exact lamps yet:



If you have any other questions, feel free to email me, or call me at 837-5700

Thanks, Beth Fatsis
Cleveland's Diner Inc

Firchow, Kevin wrote:

Greetings-

I'm the reviewing planner on the project. We are just finishing up our review on the project and I wanted to follow up on lighting.

Could you confirm the number and the specific types of outdoor lights that are proposed? I see two shown on the site plan- but the fence detail shows a few more. Thanks- feel free to drop me an email or give me a call.

11