



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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October 16, 2018

Matthew Tills

MoTiS

841 W Lakeside Street, Suite A

Madison, WI 53715

RE: Legistar #53131; Accela ID: 'LNDUSE-2018-00104' -- Approval of a conditional use to allow a tavern in a mixed-use building with an outdoor eating area on a property zoned TE (Traditional Employment) at 1817 E Washington Avenue.

Dear Mr. Tills:

At its October 15, 2018 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to establish tavern in a mixed-use building with an outdoor eating area at **1817 E 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 Jacob Moskowitz, the Assistant zoning Administrator at (608) 266-4569 if you have any questions regarding the following three (3) items:**

1. As each tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
2. If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee will establish conditions for operation, which involve fencing, security guards, toilet facilities, litter, etc. All businesses that sell alcohol must comply with the requirements imposed by the Alcohol License Review Committee at the time of issuance of your original application to expand or change your licensed premises to include the outdoor eating area. It is your responsibility to have the outdoor service area added to your licensed premise. Please contact the City Clerk's office for assistance with ALRC issues.
3. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

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

4. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

**Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following three (3) items:**

5. Metro Transit staff, as well as our passengers and other stakeholders in the Capitol East District, have identified that the existing hourly bus service frequency that operates on Route 6 along East Washington Avenue on weekends and holidays is inadequate for the densities and uses that are being proposed, and have been previously approved.
6. As part of the 2019 budget process, Metro Transit has again submitted an operating budget request that includes an investment proposal that would afford an increase to the bus service frequency in the East Washington Avenue corridor on weekends and holidays, to more frequent trips running every 30 minutes. The supplemental budget request for an approximate annual operating cost of \$450,000 - that would be necessary to implement this service frequency increase, by using four additional buses on weekends and holidays - did not get debated or adopted when it had been identified in last year's 2018 operating budget request.
7. Metro Transit provides daily bus service along East Washington Avenue, at stops in the Yahara River Path intersection. Trips operate at least once every 30 minutes on weekdays, but only pass once an hour each direction on weekends. The last trips westbound - towards the downtown and campus - depart approximately 11:10pm on weeknights, and 10:15pm on weekend evenings. The final departures heading the opposite direction, towards East Towne Mall, depart around 11:55pm during the week, and 11:05pm on Saturdays and Sundays.

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

8. The hours of operation for the outdoor eating area located in front of the tenant space addressed as 1817 E Washington Avenue, shall be limited to 11:00 PM on Monday-Saturday and 9:00 PM on Sunday. Future modifications to the hours of operation of the outdoor eating area may be considered as a minor alteration of the conditional use following a recommendation by the District Alder.
9. The capacity of the outdoor eating area located in front of the tenant space addressed as 1817 E Washington Avenue shall not exceed 38 persons (note: the final details of the seating plan and capacity to be approved by the Building Inspection Unit). Future modifications to the capacity of the outdoor seating area may be considered as a minor alteration of the conditional use following a recommendation by the district alder and approval from the Building Inspection Unit.
10. There shall be no amplified sound, including, but not limited to television, ambient music or musical performances, in the outdoor seating area located in front of the tenant space addressed as 1817 E Washington Avenue.

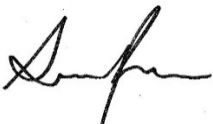
**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

**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.
6. 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

I hereby acknowledge that I understand and will comply with the above conditions of approval for the conditional use permit.

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

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

Planner

cc: Jacob Moskowitz, Zoning  
Tim Sobota, Metro Transit  
Sean Malloy, Traffic Engineering  
Bill Sullivan, Fire Department  
Brenda Stanley, Engineering

<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (Prusak)	<input type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input 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 checked="" type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility		