

PLANNING UNIT REPORT
DEPARTMENT OF PLANNING AND DEVELOPMENT
September 30, 2005

CONDITIONAL USE APPLICATION:

1. Requested Action: Approval to operate an outdoor eating area for an existing tavern/restaurant located at 802 Regent Street.
2. Applicable Regulations: Section 28.09 requires that the outdoor eating areas must obtain a conditional use permit.
3. Report Drafted By: Bill Roberts, Planner IV.

GENERAL INFORMATION:

1. Applicant: James "Buck" Dailey, Buck's Madison Square Garden, 802 Regent Street, Madison, WI 53715.
2. Status of Applicant: Owner
3. Development Schedule: The applicant wishes to provide this outdoor eating area for patrons as soon as all necessary land use approvals have been obtained.
4. Parcel Location: Northwest corner of Regent Street/Murray Street intersection, Madison Metropolitan School District, 4th Aldermanic District.
5. Existing Zoning: C2 General Commercial District.
6. Existing Land Use: Restaurant/bar.
7. Surrounding Land Use and Zoning: This site is surrounded by a mix of non-residential uses along the north side of Regent Street zoned C2, C3, M1 and PUD. Clinic, parking ramp, hospital uses south of Regent Street zoned C2. Residential uses are located to the southeast across Regent Street zoned R5.
8. Adopted Land Use Plan: CcX Community Commercial Mixed-Use District.
9. Environmental Corridor Status: This property is not located within a mapped environmental corridor.

PUBLIC UTILITIES AND SERVICES:

This property is served with the full range of urban services.

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STANDARDS FOR REVIEW:

This application is subject to the conditional use standards.

ANALYSIS, EVALUATION AND CONCLUSION:

In August of 2000, the Plan Commission granted approval of a conditional use to operate an outdoor eating area for this restaurant/tavern for UW home football Saturdays and other special events at Camp Randall Stadium. The tavern owner is now seeking approval to allow the use of this outdoor eating area on a yearly basis for patrons who are no longer able to smoke inside this business. This small 7' x 20' outdoor area is enclosed with an existing wrought iron fence and can provide up to four tables with approximately four patrons at each table. There have been no reported complaints in the operation of this outdoor eating area for football Saturdays. The site is not adjacent to residential uses but residences are located across Regent Street. The owner is not proposing any amplified sound or music.

RECOMMENDATIONS:

The Planning Unit recommends that the Plan Commission find that the conditional use standards are met and approve this application subject to the input at the public hearing.

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: October 4, 2005

To: Plan Commission
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 802 Regent Street

Present Zoning District: C-2

Proposed Use: An outdoor eating area 7' x 20' for Buck's restaurant/tavern

Conditional Use: 28.09(3)32 Outdoor eating areas are a conditional use

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). NONE.

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
2. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.)
3. Show the fence and table/seating layout on the site plan.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	12,126 sq. ft.
Lot width	50'	71.15 (Murray St.)
Usable open space	n/a	n/a
Front yard	0' (Commercial portion)	adequate
Side yards	0' (Commercial portion)	adequate
Rear yard	30'	adequate
Floor area ratio	3.0	less than 1.0
Building height	----	2 stories

Site Design	Required	Proposed
Number parking stalls	16	16 existing
Accessible stalls	1	1 existing
Loading	n/a	n/a
Number bike parking stalls	2	(1)
Landscaping	Yes	(2)
Lighting		

Other Critical Zoning Items	
Urban Design	No
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project does comply with all of the above requirements.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dalley, P.E.
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John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: September 29, 2005
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 802 Regent Street Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

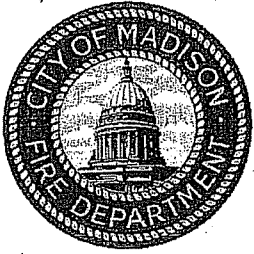
1. N/A

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments: NONE

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CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 9/26/05
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **802 Regent St.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Per the IFC chapter 10 and MGO34:
 - a. Applicant shall post the capacity of the outside dining area in accordance International Fire Code 2003 edition.
 - b. Proposed deck shall not be located at, adjacent or obstruct the required exits from the building.
 - c. Provide and maintain exits from the deck in accordance with the International Fire Code 2003 edition.
 - d. Submit a seating plan for the proposed Deck space.
Provide documentation if information has not been submitted already.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

1. None.

Please contact John Lippitt, MFD Fire Protection Engineer, at 608-261-9658 if you have questions regarding the above items.

cc: John Lippitt

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