



PREPARED FOR THE PLAN COMMISSION

**Project Address:** 1726 Monroe Street (District 13 – Ald. Evers)  
**Application Type:** Conditional Use  
**Legistar File ID #** [60666](#)  
**Prepared By:** Chris Wells, Planning Division  
Report includes comments from other City agencies, as noted.

**Summary**

**Applicant & Contact:** Garth Beyer; Garth’s Brew Bar; 1726 Monroe Street; Madison, WI 53711  
**Property Owner:** 1700 Monroe Street, LLC; 10 E. Doty Street, Suite 300; Madison, WI 53703

**Requested Action:** Approval of a conditional use for an outdoor eating area for a restaurant-tavern located at 1726 Monroe Street.

**Proposal Summary:** Garth’s Brew Bar is requesting approval of a conditional use for an outdoor eating area located in front of the establishment, between the building and the public sidewalk, with seating for eight people. Construction of the outdoor eating area will begin as soon as all regulatory approvals have been granted and the conditions of approval have been met.

**Applicable Regulations & Standards:** Table 28-D2 in Section 28.061(1) of the Zoning Code identifies outdoor eating areas for restaurants and taverns as a conditional accessory use in the TSS (Traditional Shopping Street) zoning district. Section 28.183 provides the process and standards for the approval of conditional use permits.

**Review Required By:** Plan Commission

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for an outdoor eating area for a restaurant-tavern located at 1726 Monroe Street subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

**Background Information**

**Parcel Location:** The 38,030 (0.87-acre) subject property is located along Monroe Street, between S. Spooner Street and Stockton Court. The site is within Aldermanic District 13 (Evers) as well as the limits of the Madison Metropolitan School District.

**Existing Conditions and Land Use:** The restaurant-tavern occupies a roughly 2,200-square-foot tenant on the ground floor of a five-story, mixed-use building with a total of 16,345 square-feet of commercial space and 65 apartments. A surface parking lot, with 14 stalls, is located to the north of the building and accessed via S. Spooner Street. The site is zoned PD (Planned Development District).

**Surrounding Land Use and Zoning:**

**North:** Single-family and two-unit residences, zoned TR-C2 (Traditional Residential – Consistent 2 District) and TR-V1 (Traditional Residential – Varied 1 District);

**South:** South across Monroe Street and S. Spooner Street is a commercial store with a dwelling unit above, zoned TSS (Traditional Shopping Street District); other commercial stores, zoned PD (Planned Development District); beyond which are commercial stores in the TSS District. Southwest across S. Spooner Street is the Monroe Commons building – a five-story mixed-use building with a grocery store on the ground floor and residential units above;

**East:** Southeast across Monroe Street are commercial stores, all zoned TSS (Traditional Shopping Street District); northeast across Stockton Court are the Clarendon apartments, zoned TR-U1 (Traditional Residential – Urban 1 District); and

**West:** The office of the Young Shakespeare Players organization, zoned TR-C2 as well as single-family and two-unit residences, zoned TR-C3 (Traditional Residential – Consistent 3 District).

**Adopted Land Use Plans:** The [Comprehensive Plan](#) (2018) recommends neighborhood mixed-use (NMU) development for the subject site. The only specific recommendation provided by the [Monroe Street Commercial District Plan \(2007\)](#) is for commercial development on the subject site. More generally however, under the general development standards and process section, regarding street activation, the Plan states on Page 50: *“One of the best uses to locate along the street edge are seating areas for restaurants or the display of food items, which are always an enticement for pedestrians. Sidewalk cafes are also encouraged, space permitting.”*

**Zoning Summary:** While the site is zoned PD (Planned Development), the associated Zoning Text for the site states that permitted and conditional uses are “as allowed in the TSS (Traditional Shopping Street District)”:

Requirements	Required	Proposed
Lot Area (sq. ft.)	As per approved plans.	No changes proposed.
Lot Width	As per approved plans.	No changes proposed.
Front Yard Setback	As per approved plans.	No changes proposed.
Side Yard Setback	As per approved plans.	No changes proposed.
Rear Yard Setback	As per approved plans.	No changes proposed.
Maximum Lot Coverage	As per approved plans.	No changes proposed.
Floor Area Ratio	As per approved plans.	No changes proposed.
Building Height	As per approved plans.	No changes proposed.

Site Design	Required	Proposed
Number Parking Stalls	As per approved plans.	No changes proposed.
Accessible Stalls	As per approved plans.	No changes proposed.
Loading	As per approved plans.	No changes proposed.
Number Bike Parking Stalls	Restaurant-tavern: 5% of capacity of persons	No changes proposed.
Landscaping and Screening	As per approved plans.	No changes proposed.
Lighting	As per approved plans.	No changes proposed.
Building Forms	As per approved plans.	No changes proposed.
Maximum Lot Coverage	50%	30%
Maximum Building Height	2 stories/35 ft	1 story

<b>Other Critical Zoning Items:</b>	Urban Design (Planned Development); Barrier Free (ILHR 69)
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**Environmental Corridor Status:** The property is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services, including Metro Transit Routes running along Monroe Street.

## Supplemental Regulations

Section 28.151 of the Zoning Code includes the following supplemental regulations for Outdoor Eating Areas:

- (a) Primary access to the area shall be from within the establishment.
- (b) Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.
- (c) Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

## Project Description, Analysis and Conclusion

The applicant is seeking approval of a conditional use for an outdoor eating area to serve the existing restaurant-tavern (Garth's Brew Bar). The establishment is located in one of the ground floor commercial spaces of a five-story, mixed-use building situated at the confluence of Monroe Street, N. Lawn Avenue, and S. Spooner Street. The subject establishment has roughly 55 feet of frontage along the Monroe Street sidewalk. While much of the building sits roughly two feet back from the Monroe Street property line, due to the modulations of the building's commercial facades, the subject establishment's entire façade sits roughly four-and-a-half feet back from the property line. It is in this thin strip of land – between the building façade and public sidewalk and to the west of the restaurant-tavern's main entrance – where the modest outdoor eating area is proposed to go.

The proposed seating will consist of four 2-person tables placed right along the building with a total of eight seats. Submitted plans any indicate a metal barrier will also be added to separate the outdoor eating area from the public sidewalk. The applicant has noted that no outdoor amplified music or sound is proposed and as for the hours of operation of the outdoor eating area, they are requesting the same as the restaurant-tavern, namely: Tuesday to Thursday, 4:00 to 10:00 p.m.; Friday, 4:00 to 12:00 a.m.; Saturday, 12:00 p.m. to 12:00 a.m.; and Sunday, 12:00 p.m. to 10:00 p.m. (They are closed on Mondays). In communications with the staff, the applicant has noted that in actuality, they will be closing the outdoor eating area typically 30 minutes before closing time in order to get things cleaned up and broken down, etc. by closing time.

The Planning Division believes that the conditional use standards and supplemental regulations for the proposed outdoor eating area can be found met subject to the hours of operation contained in the letter of intent and the prohibition on outdoor amplified sound. Staff does not believe that the proposed outdoor area will have an adverse impact on the uses, values and enjoyment or normal and orderly development of surrounding properties, which includes a mix of commercial and residential uses nearby. In communications with Staff, the alder noted that he was supportive of the proposal and associated hours of operation. Specifically regarding the late hours of operation proposed on Fridays and Saturdays, he noted that he reached out to the Dungeon Monroe Neighborhood Association and they were both of the belief that associated complaints would be unlikely. Regardless, as with any conditional use, the Plan Commission retains continuing jurisdiction in the event that complaints are indeed received about any of the conditional uses associated with the subject site, which could result in more restrictive conditions being applied if deemed necessary.

Regarding public comment, at the time of writing, staff have received one letter of general support for the proposal.

## Recommendation

### Planning Division Recommendation (Contact Chris Wells, 261-9135)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a conditional use for an outdoor eating area for a restaurant-tavern located at 1726 Monroe Street subject to input at the public hearing and the following conditions:

**Recommended Conditions of Approval:** Major/Non-Standard Conditions are Shaded

### Planning Division

1. That the hours of operation for the outdoor eating area shall be Tuesday to Thursday, 4:00 to 10:00 p.m.; Friday, 4:00 to 12:00 a.m.; Saturday, 12:00 p.m. to 12:00 a.m.; and Sunday, 12:00 p.m. to 10:00 p.m., as stated in the letter of intent. No service shall occur in the outdoor area after the closing hour on a given day, and patrons may not utilize the outdoor patio area after those hours for smoking or otherwise. The Director of the Planning Division may consider a minor alteration to the conditional use in the future to further modify the hours of operation for the outdoor eating area following a recommendation by the district alder.
2. Outdoor amplified sound, including from televisions, ambient music, or musical performance, is prohibited.

### City Engineering Division (Contact Brenda Stanley, 261-9127)

This agency reviewed this request and has recommended no conditions or approval.

### City Engineering Division—Mapping Section (Contact Jeff Quamme, 266-4097)

This agency reviewed this request and has recommended no conditions or approval.

### Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

3. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4551 to help facilitate this process.
4. Note that signage is not allowed on the barrier fence panels.

### Fire Department (Contact Bill Sullivan, 261-9658)

This agency reviewed this request and has recommended no conditions or approval.

### Traffic Engineering Division (Contact Sean Malloy, 266-5987)

This agency reviewed this request and has recommended no conditions or approval.

### Water Utility (Contact Jeff Belshaw, 261-9835)

This agency reviewed this request and has recommended no conditions or approval.

### Parks Division (Contact Sarah Lerner, 261-4281)

This agency reviewed this request and has recommended no conditions or approval.

**Forestry Division** (Contact Brad Hofmann, 267-4908)

This agency reviewed this request and has recommended no conditions or approval.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency reviewed this request and has recommended no conditions or approval.