



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 267-8739  
PH 608 266-4635

May 22, 2008

Joe Tachovsky  
240 West Gilman Street  
Madison, WI 53703

RE: Approval of an amended conditional use to allow alcohol service for an approved outdoor seating area serving a restaurant at 240 W Gilman Street.

Dear Mr. Tachovsky:

The Plan Commission, meeting in regular session on May 19, 2008, determined that the ordinance standards could be met and **approved** your client's request for an amended conditional use to allow alcohol service for an approved outdoor seating area serving a restaurant at 240 W Gilman Street, subject to the conditions below. In order to receive final approval of the conditional use, the following conditions must be met:

**Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:**

1. Must maintain clear and unobstructed exiting out of outdoor eating area through gates to public way at all times.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions including those regarding compliance with previously approved conditions (August 20, 2007 conditional use approval).**

**Please contact my office at 267-1150, if you have questions regarding the following six (6) items:**

2. That the hours of operation be limited to 11AM to Midnight, daily.
3. That the Planning Division staff approve the fencing and shrubbery around the patio area as recommended by the ALRC (described in ALRC condition 3, noted in the May 19 Planning Division Report).
4. That the patio area has a maximum capacity of 42 people at all times.
5. That after 11:00 p.m., no new patrons will be seated in the patio area on Friday and Saturday. After 10:00 p.m., no new patrons will be seated in the patio area Sunday through Thursday.
6. That upon request, the licensee will meet with neighbors prior to opening of the patio area each year.
7. That there will be no live music, amplified music, or amplified noise of any kind in the patio area.

**Please now follow the procedures listed below for obtaining your conditional use:**

1. Please revise your plans per the above and submit *six (6) copies* of a complete 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.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use.  _____ <i>Signature of Applicant</i>
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cc: Matt Tucker, Zoning Administrator  
Scott Strassburg, Madison Fire Department  
John Leach, Traffic Engineering

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (Firchow)	<input type="checkbox"/>	Recycling Coordinator
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: