



## Report to the Plan Commission

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June 20, 2011

**Legistar I.D. #22829**  
**222 West Washington Avenue**  
**Conditional Use**

Report Prepared By:  
Kevin Firchow, AICP  
Planning Division

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**Requested Action:** Approval of a conditional use to establish an outdoor eating area for restaurant.

**Applicable Regulations & Standards:** Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the conditional use request to establish an outdoor eating area for a restaurant at 222 West Washington Avenue, subject to input at the public hearing and the recommended conditions from reviewing agencies.

### Background Information

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**Applicant:** Bill Horzuesky; Bluephies Downtown Deli; 222 West Washington Ave; Madison, WI 53703

**Property Owner:** Fiore Companies; 150 East Gilman Street; Madison, WI 53701

**Proposal:** The applicant proposes to establish an outdoor eating area for restaurant.

**Parcel Location:** The subject parcel is a 1.2 acre parcel at the intersection of West Washington Avenue and North Henry Street. The parcel is located in Aldermanic District 4 and within the limits of the Madison Metropolitan School District.

**Existing Conditions:** The applicant, Bluephies Downtown Deli, is a tenant in this existing multi-story building. The proposed outdoor eating area would be located in a recessed portion of the building fronting onto West Washington Avenue.

**Surrounding Land Use and Zoning:** The site is surrounded by other downtown office and mixed-use buildings zoned C2 (General Commercial District); C4 (Central Commercial District); and PUD-SIP (Planned Unit Development-Specific Implementation Plan).

**Adopted Land Use Plan:** The Comprehensive Plan includes this area within the Downtown Core sub district of the Downtown. Recommended uses include mixed-use buildings with first story dining and entertainment uses.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** The property is zoned C2 (General Commercial District) and C4 (Central Commercial District)

A zoning summary table was not received in time to be included in this draft of the report.

## **Project Description**

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The applicant, Bluephies Downtown Deli, requests approval of a conditional use to establish an outdoor eating area at 222 West Wisconsin Avenue. This request is subject to the approval standards for conditional uses.

The deli is a tenant in the multi-story building in the block bounded by West Washington Avenue, North Fairchild, and North Henry Streets. The applicant proposes to place six (6) tables with up to 24 seats in a recessed area along the front of the building. The area measures roughly 12 by 18 feet. The tables would be brought inside at the end of each business day. The hours of operation will be from 8:00 am until 3:00 pm. No beer, wine, or alcohol is served at the restaurant. As a clarification, staff requests that the applicant clearly labels the extent of the outdoor eating area on the first floor plan or site plan.

Staff believe the conditional use standards are met and do not anticipate this proposal will negatively impact surrounding properties. At the time of report writing, staff was not aware of any concerns on the proposal. The proposal is consistent with the Comprehensive Plan's recommendations for uses within the Downtown Core.

## **Recommendations and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded
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### **Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the conditional use request to establish an outdoor eating area for a restaurant at 222 West Washington Avenue, subject to input at the public hearing and the recommended conditions from reviewing agencies.

1. That the applicant clearly labels the extent of the outdoor eating area on the first floor plan or site plan.

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

2. The Madison Fire Dept. does not object to this proposal. Ensure building exits are maintained to the public way.

### **City Engineering Division** (Contact Janet Dailey, 261-9688)

This agency submitted a report with no recommended conditions of approval.

### **Traffic Engineering Division** (Contact John Leach, 267-8755)

This agency submitted a report with no recommended conditions of approval.

### **Zoning Administrator** (Contact Pat Anderson, 266-5978)

Comments were not received in time to be included in this report.

**Water Utility** (Contact Dennis Cawley, 261-9243)

3. 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. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

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

This agency did not submit a response for this request.