



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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July 7, 2009

William Rogers
Brewers Showcase, Inc.
2609 E. Washington Ave.
Madison, Wisconsin 53704

RE: Approval of a conditional use for an outdoor eating area at a tavern in the C2 (General Commercial) District.

Dear Mr. Rogers:

The Plan Commission, meeting in regular session on July 6, 2009 determined that the ordinance standards could be met and **approved** your request for a conditional use for an outdoor eating area at 2609 East Washington Avenue. In order to receive final approval for the conditional use, the following conditions must be met:

Please contact my office at 266-5974 with questions about the following three (3) items:

1. Outdoor amplified sound on the patio is prohibited after 10:00 PM.
2. The applicant shall submit details on the proposed bicycle racks in the final plan set for staff review, and may work with staff on the design and location of bicycle parking prior to submitting the final plan set.
3. The Plan Commission retains continuing jurisdiction over the approval of this conditional use. If complaints are received related to late-night noise on the outdoor patio in the future, the Plan Commission may further restrict the hours of operation.

Please contact John Leach, Traffic Engineering at 267-8755 with questions about the following 8 items:

4. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
5. The applicant shall modify the gravel areas to bituminous, or Portland Cement concrete in accordance with City of Madison standards and specifications. All off-street facilities shall be paved in accordance to City of Madison General Ordinance Section 10.08(6)(a) 10. The applicant shall note type of pavement in the parking lot.
6. The applicant shall design the surface parking area for stalls and backing up according to Figure II of the ordinance using the 9' or wider stall for the commercial/retail area. The applicant shall dimension the parking spaces according to M.G.O.
7. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
8. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.
9. The applicant shall indicate the type of bicycle racks to be installed (please contact Arthur Ross, City Traffic Engineering at 266-4761 with questions regarding this item).

10. A "Stop" sign shall be installed at a height of seven (7) feet at the driveway approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
11. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.

Please contact Pat Anderson, Zoning Administrator at 266-5978 with questions about the following seven (7) items:

12. Meet all applicable State accessibility requirements, including but not limited to:
 - a) Show signage at the head of the accessible stalls. Accessible signs shall be a minimum of 48" between the bottom of the sign and the ground.
 - b) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
13. Provide a minimum of two bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
14. Within 10' from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2' in height for vision clearance. No landscape elements shall be maintained between the heights of 30 inches and 10 feet above the curb level within the 25' vision triangle of the street corner.
15. If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee has established conditions for operation for these applications that 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.
16. Lighting is not required. However, if it is provided for the commercial/retail portion of the parking, it must comply with City of Madison outdoor lighting standards (see parking lot packet). Lighting will be limited to .08 watts per square foot.
17. The applicant shall submit a landscape plan for approval by staff demonstrating compliance with the City's landscaping requirements.
18. The parking lot must be entirely paved to meet ordinance specifications.

Please contact Scott Strassburg, Fire Department at 261-9843 with questions about the following four (4) items:

19. Per the International Fire Code (IFC) Chapter 10 and MGO 34, the applicant shall submit an approved capacity with the site plan and post the capacity of the fenced in area in accordance IFC 2006 edition.
20. The proposed outdoor fenced in area shall not be located at, adjacent to or obstruct the required exits from the building.
21. The applicant shall provide and maintain exits from the outdoor eating area in area in accordance with the IFC 2006 edition.
22. The applicant shall submit a seating plan for the proposed fenced in area.

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

1. Please revise your plans per the above and submit *seven (7) copies* of a complete plan set to the Zoning Administrator for final staff review and comment.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting the conditional use permit.
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 permit.

If you have any questions regarding obtaining your conditional use permit, please contact the Zoning Administrator at 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 266-5974.

Sincerely,

Heather Stouder, AICP
 Planner

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

Signature of Applicant

cc: Pat Anderson, Assistant Zoning Administrator
 John Leach, Traffic Engineering
 Janet Dailey, City Engineering
 Scott Strassburg, Madison Fire Department

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