



Department of Planning & Development
Planning Unit

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August 23, 2006

Christine Campion
20 Everglade Circle
Madison, WI 53717

SUBJECT: 702 North Whitney Way – Irish Water’s Outdoor Service Area

Dear Ms. Campion:

The Plan Commission, at its August 21, 2006 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for an outdoor eating area for your existing restaurant located at 702 North Whitney Way.

In order to receive final approval of your proposal, the following conditions must be met:

Please contact John Leach, City Traffic Engineering, at 266-4761 if you have questions regarding the following eight items:

1. Four (4) foot high outdoor eating fence along the sidewalk the length of the service area separating the public sidewalk from the tables.
2. 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), adjacent driveway approaches to lots on either side and across the street, 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'.
3. The applicant shall provide scaled drawing one contiguous plan sheets showing all the facility’s access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs semi-trailer and vehicle movements, ingress/egress easements and approaches.
4. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
5. “Stop” and “No Left Turns” signs shall be installed at a height of six (6) feet to the bottom of the first sign at the northerly driveway approach to North Whitney Way and a “Stop” sign shall be installed at a height of seven (7) feet at the joint North Whitney Way 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.

6. The applicant shall show the dimensions for all proposed and existing parking stalls' items B, C, D, E, and F, 9-foot ninety-degree angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b)2.
7. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following five items:

8. Combine the two lots on the final site plan.
9. Meet all applicable State requirements including, but not limited to:
 - a. Provide a minimum of four accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the accessible surface stall to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs or wheel stops where required.
10. Provide 9 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: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
11. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. 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. Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
12. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet.) Lighting will be limited to .10 watts per square foot.

Please contact Michael Waidelich of the Planning Unit staff at 266-4635 if you have questions regarding the following three items:

13. The proposed outdoor eating deck shall be redesigned or relocated so that it does not encroach into the Whitney Way right-of-way, and so that it provides adequate space on the lot for landscaping around the deck perimeter.
14. The applicant shall prepare an accurate current landscape plan for the site for approval by the Planning Unit, including a revised plan for the east side of the restaurant building that provides for

installation of additional landscaping between the building and the Whitney Way sidewalk at least equivalent to the landscaping that will be lost to the new deck. The landscaping plan shall also be approved by the Urban Design staff in the Planning Unit.

15. If the additional serving area on the outdoor eating deck will increase the total seating capacity of the restaurant, parking and other capacity-based requirements shall be reviewed by the appropriate City staff to ensure that the use remains compliant with all applicable regulations.

Please contact John Lippitt, Madison Fire Department, at 266-4484 if you have questions regarding the following item:

16. Per the IFC Chapter 10 and MGO 34:

- a. The applicant shall post the capacity of the outside dining area in accordance with International Fire Code 2006 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, patio or fenced in area in accordance with the International Fire Code 2006 edition.
- d. Submit a seating plan for the proposed deck space.

The Plan Commission imposed the following condition of approval:

17. The proposed deck shall comply with the provisions of the Americans With Disabilities Act.

Approval of this proposal does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

Please follow the procedures listed below to receive your conditional use approval.

1. Please revise plans per the above conditions and submit twelve (12) sets of the final site plans (including drainage and landscaping plans) to the Zoning Administrator. The final plans are reviewed and approved by Traffic Engineering, Fire Department, City Engineering, and Zoning. Any of these agencies may call you to request additional information or to resolve problems.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting cover sheet approval.
3. No alteration of this proposal shall be permitted unless approved by the City 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 Plan Commission approval unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the date of issuance of the building permit. See Section

28.12(11)(h)(3), Madison General Ordinances. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against this approved conditional use.

IF YOU HAVE ANY QUESTIONS REGARDING OBTAINING YOUR BUILDING PERMIT OR OCCUPANCY PERMIT, PLEASE CALL KATHY VOECK OF THE CITY ZONING STAFF AT 266-4551.

Sincerely,

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

Bill Roberts
Planning & Development

Applicant

cc: Zoning Administrator
City Engineering
Traffic Engineering

Zoning City Engineering Traffic Engineering Planning (MW)
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