



Department of Planning & Community & Economic Development
Planning Division

Website: 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 608 266-8739
PH 608 266-4635

May 22, 2012

Kris Herbrand
Luigi's Pizzeria
515 South Midvale Boulevard
Madison, WI 53711

RE: Approval of an alteration to an approved PUD-SIP for an outdoor eating area **at 515 South Midvale Boulevard**

Dear Mr. Herbrand:

The Plan Commission, meeting in regular session on May 21, 2012 determined that the ordinance standards could be met and **approved** your request for an alteration to an approved PUD-SIP to allow a new outdoor eating area at 515 South Midvale Boulevard. In order to receive final approval for the alteration, the following conditions must be met:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have any questions regarding the following two (2) items.

1. Meet applicable building/fire codes. The outdoor capacity shall be established. Occupancy is established by the Building Inspection Unit. Contact Mike VanErem at 266-4559 to help facilitate this process.
2. This property is part of a declared condominium (Sequoia Commons Phase II). Please clarify if the improvements are located within declared limited common elements of the condominium. Condominium amendment and/or addendum documents may be required.

Please contact Bryan Walker, Traffic Engineering Division, at 267-8754 if you have any questions regarding the following item.

3. The applicant shall provide a four (4) ft high fence along the outdoor eating area separating the eating area from the parking lot and sidewalk. All information as tables and seating shall be shown or noted on the plan. This fence is required to prevent vehicles from encroaching into the outdoor eating area and defines the outdoor eating from the parking lot for the customers.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following four (4) items.

4. Meet applicable building/fire codes. The outdoor capacity shall be established. Occupancy is established by the Building Inspection Unit. Contact Mike VanErem at 266-4559 to help facilitate this process.
5. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District

ordinances prior to sign installations. Banners, Pennants, temporary signs, portable signs etc. are not approved as a part of this project

6. If outdoor lighting is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
7. Note: Contact the City Clerk regarding the "change of license premise" to allow outdoor service to your liquor license.

Please contact Bill Sullivan, Madison Fire Department at 261-9243, if you have questions regarding the following two (2) items.

8. Bicycle rack and patio fencing appear to block the exiting from the building. Revise proposal to ensure compliance with the International Building Code. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
9. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Please contact my office at 267-1150 if you have questions regarding the following four (4) items.

10. That as noted in the applicant's letter of intent, there shall be no outdoor amplified sound on the patio.
11. That as noted in the applicant's letter of intent, the patio shall be closed by 9:00 pm Sunday through Thursday and by 10:00 pm, Friday and Saturday.
12. That the final capacity and seating plan shall be approved by City Building Inspection, not to exceed that in this approval. This outdoor eating area approval includes up to three (3) tables and seating for 12 patrons, as shown on the attached plans. A fourth table and a capacity up to 18 (as requested in the letter of intent) will be considered consistent with this approval if it meets applicable code requirements and maintains a clear path along the sidewalk. Additional outdoor capacity or alternative patio layouts not consistent with this approval will require approval of an alteration to this PUD.
13. That the Plan Commission shall have continuing jurisdiction over this outdoor eating area for the purpose of resolving complaints against its maintenance and operation. Such authority shall be in addition to the enforcement authority of the Zoning Administrator to order the removal or discontinuance of any unauthorized alterations and the elimination, removal, or discontinuance of any violation of approved conditions or other provisions of the Zoning Ordinance.

The Plan Commission may modify existing conditions or impose additional reasonable conditions upon the outdoor eating area in order to bring the outdoor eating area into compliance with approved conditions, PUD or Zoning Map Amendment Standards, and to make a finding that the uses, values, and enjoyment of other properties or other onsite uses already established shall be in no foreseeable manner substantially impaired or diminished by the maintenance or operation of this outdoor eating area. In the event that no reasonable modification can be used to meet the above-mentioned standards and finding, the Plan Commission may revoke this outdoor seating area.

Continuing jurisdiction actions and appeals shall follow the process outlined in the Zoning Ordinance for Conditional Use Continuing Jurisdiction (Sec 28.12(11)(h)3).

Please now follow the procedures listed below for recording the alteration to the PUD-SIP.

After the plans have been changed as per the above conditions, please file eight (8) sets of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Dailey, City Engineering
Bryan Walker, Traffic Engineering
Bill Sullivan Madison Fire Department
Pat Anderson, Asst. Zoning Administrator

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