



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

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April 20, 2006

POTBELLY'S SANDWICH WORKS LLC
GERARDO FITZ-GIBBONS
222 MERCHANDISE MART, 23RD FLOOR
CHICAGO IL 60654

SUBJECT: 112 West Towne Mall (66 West Towne Mall) Outdoor Service Area

Dear Mr. Fitz-Gibbons:

The Plan Commission, at its April 17, 2006 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for an outdoor service area for the existing restaurant located at 112 West Towne Mall (66 West Towne Mall).

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

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following two items:

1. Address for Potbelly Sandwiches is 112 West Towne Mall. Please modify all future submittal materials to reflect the correct address.
2. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

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

3. Four (4) foot high fence along the front sidewalk shall be provided the length of the service area separating the pedestrian sidewalk linkage from the tables. The applicant should maintain 8 to 10 feet sidewalk to Food Court Entrance with the pedestrian traffic volumes. All information shall be shown or noted on the plan.
4. 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 Scott Strassburg, Madison Fire Department, at 266-4484 if you have questions regarding the following four items:

5. Applicant shall post the capacity of the outside dining area in accordance with International Fire Code 2003 edition.
6. Proposed deck shall not be located at, adjacent, or obstruct the required exits from the building.

7. Provide and maintain exits from the deck in accordance with the International Fire Code 2003 edition.
8. Submit a seating plan for the proposed deck space.

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 seven (7) sets of the final site 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: CBL & Associates Properties, Inc.
Zoning Administrator
City Engineering
Traffic Engineering

Zoning City Engineering Traffic Engineering
