



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://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 608 267-8739  
PH 608 266-4635

June 19, 2007

Christopher Berge  
Restaurant Magnus  
120 East Wilson Street  
Madison, WI 53703

RE: Approval of a conditional use for an outdoor seating area to serve a restaurant at 120 East Wilson Street.

Dear Mr. Berge:

The Plan Commission, meeting in regular session on June 18, 2007, determined that the ordinance standards could be met and **approved** your request for a conditional use for an outdoor eating area, subject to the conditions below. In order to receive final approval of the conditional use, the following conditions must be met:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following item:**

1. Revise plan to more clearly identify proposed improvements versus existing conditions. Show all property lines.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following two items:**

2. The applicant shall provide a four (4) ft high fence or railing along the outdoor eating area separating the eating area from the public sidewalk area in front of the building. All information such as tables and seating shall be shown or noted on the plan. This fence is required to prevent tables and seating from encroaching into the sidewalk area and defines the outdoor eating from the public sidewalk.
3. 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, and a scaled drawing at 1" = 20'.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following items:**

4. Per the International Fire Code Chapter 10 and MGO Section 34:
  - a.) Applicant shall submit approved capacity with the site plan and post the capacity of the outside dining area in accordance International Fire Code 2006 edition;
  - b.) Proposed deck, patio or fenced in area 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, patio or fenced in area space.

**Please contact my office at 267-1150, if you have questions regarding the following item:**

- 5. No outdoor amplified sound shall be permitted in the outdoor eating area.

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

- 1. Please revise your plans per the above and submit *seven (7) copies* of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
- 2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
- 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.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

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

\_\_\_\_\_  
*Signature of Applicant*

cc: Kathy Voeck, Asst. Zoning Administrator  
Scott Strassburg, Madison Fire Department  
John Leach, Traffic Engineering  
Janet Dailey, Engineering Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (Firchow)	<input type="checkbox"/>	Recycling Coordinator
<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: