



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
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May 20, 2009

Arlan Kay
Architecture Network, Inc.
116 E. Dayton Street
Madison, Wisconsin 53703

RE: Approval of a conditional use for an outdoor eating area at a restaurant in the C3 (Highway Commercial) District.

Dear Mr. Kay:

The Plan Commission, meeting in regular session on May 18, 2009 determined that the ordinance standards could be met and **approved** your client's request for a conditional use for an outdoor eating area at 322 West Johnson Street. In order to receive final approval for the conditional use, the following conditions must be met:

Please contact my office at 266-5974 if you have any questions about the following four (4) items:

1. The posted capacity of the outdoor eating area will be a maximum of 100 persons, or a lower number as deemed necessary to meet Fire and Building codes.
2. Outdoor amplified sound on the patio is prohibited after 10:00 PM.
3. Final plans submitted for review and approval by staff may show a reduced number of parking stalls in order to accommodate additional bicycle parking and/or an additional exit from the outdoor patio.
4. 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 Janet Dailey, City Engineering at 261-9688 if you have questions about the following item:

5. The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
 - a. Building footprints
 - b. Internal walkway areas
 - c. Internal site parking areas
 - d. Other miscellaneous improvements (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e. Right-of-Way lines (public and private)
 - f. All Underlying Lot lines or parcel lines if unplatted
 - g. Lot numbers or the words "unplatted"
 - h. Lot/Plat dimensions
 - i. Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking, or pavement during construction will require a new CAD file.

Please contact Arthur Ross, Traffic Engineering at 266-4761 if you have questions about the following item:

6. The applicant shall indicate the type of bicycle racks installed and location. Please contact Arthur Ross, City Traffic Engineering at 266-4761 if you have questions regarding the above item.

Please contact John Leach, Traffic Engineering at 267-8755 if you have questions about the following 4 items:

7. 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), percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
8. The applicant shall show the dimensions for proposed and existing parking stalls items B, C, and E and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned. The applicant will need to note removing the parking spaces on the existing concrete slab or dimension according to MGO.
9. "Stop" and "No Right Turn" signs shall be installed at a height of seven (7) feet to the bottom of the first sign at the West Johnson Street driveway approach. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan. All signs at the approaches shall be installed behind the property line.
10. 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 Pat Anderson, Zoning Administrator at 266-5978 if you have questions about the following 7 items:

11. 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.
12. 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 premise to include the outdoor eating area. It is your responsibility to have the outdoor service area added to your licensed premise. Please contact the City Clerk's office for ALRC issues.
13. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Signage must be approved by the Urban Design Commission and Zoning staff. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
14. Provide a detailed landscape plan. Show species and sizes of landscape elements. 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.)
15. Provide three (3) bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

16. Meet all applicable State accessibility requirements, including by not limited to:
 - a. Provide a minimum of two 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 stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
17. Show one 10’ x 35’ loading area with 14’ vertical clearance on the plan. The loading area shall be exclusive of drive aisle, fire lane, and maneuvering space.

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
 Janet Dailey, City Engineering
 John Leach, Traffic 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: