



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

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
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FAX 608 267-8739  
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June 5, 2007

Otto Dilba  
Ale Asylum  
3698 Kinsman Boulevard  
Madison, Wisconsin 53704

RE: Approval of a conditional use for an outdoor seating area to serve a brewpub located at 3698 Kinsman Boulevard.

Dear Mr. Dilba:

The Plan Commission, meeting in regular session on June 4, 2007 determined that the ordinance standards could be met and **approved** your request 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 four items:**

1. Revise the site plan to include accurate dimensions of the proposed outdoor eating patio area and distance from the US Highway 51/ N. Stoughton Road right of way line.
2. This proposal appears to be within the US Highway 51/ N. Stoughton Road setback and permitting jurisdiction of the Wisconsin Department of Transportation (WisDOT). Application must be made to WisDOT for their review and approval.
3. Revise site plan to include tenant addresses along side of tenant name. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor and Engineering Division records.
4. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, other miscellaneous impervious areas.

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

5. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall contact Lisa Stern, Wisconsin Department of Transportation ((608) 246-5635), with site plans sets for review and approval. The applicant shall return a set of site plans or letter with WisDOT-approved copies to the City of Madison Traffic Engineering Division.

6. 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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two feet overhang, and a scaled drawing at 1" = 20'.
7. "Stop" and "No Left Turns" signs shall be installed at a height of six feet to the bottom of the first sign at the driveway approach to Kinsman Boulevard. All signs at the approaches shall be installed behind the property line. All directional/ regulatory signage and pavement markings to secure one-way operation shall be shown on the site shall be shown and noted on the plan.
8. The applicant shall show the dimensions for existing parking stalls' items A, B, C, D, E, F, and O 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 feet of vehicle overhang shall be shown on the plan and dimensioned.
9. 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 three items:**

10. Provide 13 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: 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.
11. For 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. Contact the City Clerk's Office regarding the "change of license premise" to your liquor license.

**Please contact Doug Voegeli, Madison Health Department, at 294-5338 if you have questions about the following two items:**

13. No food dispensing or preparation is allowed in the outdoor area without meeting code or temporary restaurant permit.
14. If the proposed area is not enclosed (roof, solid walls, etc.) and is at least 40% open to the environment, smoking may be allowed.

**Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have questions about the following item:**

15. Per the International Fire Code Chapter 10 and MGO Section 34:
- a.) the 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.) the 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 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. Zoning staff will work the Health Department to ensure that their conditions of approval are met.
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 261-9632.

Sincerely,

Timothy M. Parks  
 Planner

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

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*Signature of Applicant*

- cc: Kathy Voeck, Asst. Zoning Administrator  
 Bill Sullivan, Madison Fire Department  
 John Leach, Traffic Engineering  
 Doug Voegeli, Health Department  
 Janet Dailey, Engineering Division

| For Official Use Only, Re: Final Plan Routing |                              |                                     |                         |
|---|------------------------------|-------------------------------------|-------------------------|
| <input checked="" type="checkbox"/>           | Planning Division (T. Parks) | <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:                  |