



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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March 10, 2009

Rico Sabatini
3923 Claire Street
Madison, WI 53716

RE: Approval of a parking reduction to allow establishment of a restaurant / bar in an existing building at 924 Williamson Street

Dear Mr. Sabatini:

At its March 9, 2009 meeting, the Plan Commission, meeting in regular session, approved your application for approval of a parking reduction to allow establishment of a restaurant / bar in an existing building at 924 Williamson Street. In order to receive final approval of the conditional use, the following conditions must be met:

Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following fourteen (14) items:

1. The City Engineer may use a street excavation permit in place of the developer agreement, upon further review of the required improvements.
2. The applicant shall dedicate a 2.0 foot wide public sidewalk easement along Williamson Street except where the parcel is occupied by the existing building. The applicant shall relocate the sidewalk onto the easement per the plans provided by the City. The City, with the approval of the City Engineer, will compensate the Developer for a portion of the cost of the sidewalk replacement in accordance with our sidewalk rebate program. The sidewalk easement is needed because the existing 4' x 4' tree grates encroach into the mainline sidewalk. This encroachment is problematic because the tree grate becomes uneven as the trees mature and the tree roots heave the tree grate. With the additional space provided by this easement, the existing tree grates will be eliminated and trees will be more healthy and will be allowed to grow to greater maturity.
3. Any damage to the asphalt pavement on Williamson Street shall require restoration in accordance with the City's Patching Criteria.
4. Owner shall attempt to secure an easement to extend storm sewer to East Wilson Street to convey the increased runoff without impacting the downstream property. Provide written correspondence to the City substantiating this request.
5. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.

6. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. The approval of this conditional use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
8. All work in the public right-of-way shall be performed by a City licensed contractor.
9. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
10. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: a) Control 40% TSS (20 micron particle) off of new paved surfaces; b) Provide oil & grease control from the first 1/2" of runoff from parking areas; and c) Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
12. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
13. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. 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, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
14. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following seven (7) items:

15. The applicant shall modify the design of the parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The applicant shall show the dimensions for proposed 60 degree parking stalls' items A =12 ft, B=10.5 ft, C=20.5 ft, D=18 ft, E=17 ft, F=15 ft, G= 2.5 ft, H=12 ft, S=9 ft and 60 degree angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b). The applicant may eliminate additional parking spaces to be accordance to M.G.O.
16. Stair cases, Elevators shafts, Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
17. The applicant shall not improve the Williamson Street public sidewalk area as proposed unless City of Madison Real Estate Division approves encroachment prior to plans being submitted for approval.
18. The applicant shall indicate the type of bicycle racks and location to be installed. Please contact Arthur Ross, City Traffic Engineering at 266-4761 if you have questions regarding this item.
19. 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 (2) feet overhang, and a scaled drawing at 1" = 20'.
20. A "Stop" and "Do Not Enter" signs shall be installed at a height of seven (7) feet at the egress approach. An "Enter Only" sign shall be installed at the ingress approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
21. 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, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following six (6) items:

22. A further reduction of parking stalls may be required as a result of an off-street loading and its dimensional requirements, which is not shown on the plans.
23. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
24. 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 and along the east side of the property shall be protected from vehicles by concrete curbs.

25. Provide a lighting plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).
26. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of two accessible stall striped per State requirements. A minimum of one of the stall shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stall.
27. Provide 8 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have any questions regarding the following item:

28. Metro Transit operates service between the proposed venue and the downtown/campus area until approximately 11:30pm on weeknights and 10:30pm on weekends (bus stops located on Jenifer Street at South Paterson Street, less than ¼ mile away).

The applicant should also contact Scott Strassburg, Madison Fire Department, at 261-9843 to review Fire Code conformance issues related to this project.

Please contact my office at 267-1150 if you have questions about the following eight (8) items. Please note, items 34 through 36 were conditions added by the Plan Commission at its March 9, 2008 meeting.

29. That this conditional use for a parking reduction shall be non-transferable and shall not apply to future owners and operators of the property. Future owners and operators shall make a new conditional use application for a continuation of this parking reduction.
30. That the applicant maintains the approved shared parking agreement at 600 Williamson Street (Gateway Center). If the terms of that agreement change, resulting in a substantial reduction in the number of off-street stalls available for 924 Williamson Street, the applicant shall be responsible for securing other off-street parking arrangements to address the loss of stalls.
31. The applicant shall provide written notice of changes in the status of all shared parking agreements impacting this property to the Director of the Department of Planning and Community and Economic Development and the Zoning Administrator. The applicant shall be responsible for securing other off-street parking arrangements to address the loss of stalls. The applicant may be required to obtain approval of a minor or major alteration to this conditional use, should it be determined that the revised shared-parking terms provide fewer off-street spaces or provide spaces that less effectively serve 924 Williamson Street.
32. That the applicant submits revised site and landscape plans that maintain a larger portion of the yard than that shown on the "Revised-February 26 Plan." The applicant shall work with staff to identify suitable landscaping or other screening alternatives in the yard area and between the parking lot and sidewalk. The revised site and landscape plan shall be approved by Planning Division staff.
33. That the "reserved" signs be removed or clarified so it is clear all parking stalls are available to bar/restaurant patrons.

- 34. That the capacity of the establishment be limited to 250 persons.
- 35. That the bike parking on-site be increased to 16 stalls.
- 36. That the applicants / operators develop a plan to educate patrons about the parking available in the East Rail Corridor (along E. Main Street).

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

- 1. Please revise your plans per the above and submit nine (9) 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. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. City Engineering staff will review plans for compliance. Please note, this property is not in a Wellhead Protection District.
- 3. 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.
- 4. 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 the conditional use approval, 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: Janet Dailey, City Engineering Division
 John Leach, Traffic Engineering Division
 Tim Sobota, Metro Transit
 Scott Strassburg, 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 checked="" type="checkbox"/>	Other: Metro Transit