



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

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

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April 27, 2010

Jeff Eaton  
Iconica  
901 Deming Way  
Madison, WI 53717

RE: Approval of a conditional use for the construction of a new patio for outdoor eating in the C2 (General Commercial) District.

Dear Mr. Eaton:

The Plan Commission, meeting in regular session on April 26, 2010 determined that the ordinance standards could be met and **approved** your client's request for a conditional use at 1262 John Q Hammons Drive. In order to receive final approval for the conditional use, the following conditions must be met:

**Please contact my office at 266-5974 with questions about the following item:**

1. Amplified sound will be limited to all open hours during weekends, and weekdays after 5:00 PM.

**Please contact Janet Dailey, City Engineering, at 261-9688 with questions about the following 12 items:**

2. Provide a CAD file for this site (CAD base file(s) that include all data from Sheet A100 is preferred) to the GIS – Mapping Unit of the Engineering Division. E-mail transmissions also preferred to [Lzenchenko@cityofmadison.com](mailto:Lzenchenko@cityofmadison.com). Please include the site address in the subject line of the e-mail transmission. Any changes or additions to the CAD site plan file affecting the locations of any information contained within Sheet A100 shall be retransmitted and represent final construction.
3. Staff review identified that site plan Sheet A100 incorrectly identifies the location of the public sidewalk within John Q. Hammons right-of-way. The city of Madison acquired a permanent easement for public sidewalk adjacent to this right-of-way on this subject property per Dane County Register of Deeds Document No. 2898116. Engineering will not require a plan redraft for this particular item, but in the event any other city agency requires a plan redraft, please revise this item as well.
4. Any damage to the pavement on John Q. Hammonds Drive shall require restoration in accordance with the City's Patching Criteria.
5. Show entire lot on the existing conditions sheet. Include existing sanitary sewer main and easement.
6. Proposed design creates an enclosed depression for stormwater immediately west of the new building. Applicant shall provide stamped calculations showing the storm system is capable of handling the 100-year storm with no building flooding.
7. Informational comment: There is an existing sanitary main running through the property from EAST to WEST which may end up being less expensive to connect to depending on what is required for pavement patching.
8. All work in the public right-of-way shall be performed by a City licensed contractor (MGO 16.23(9)(c)5 and MGO 23.01).
9. The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
10. 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 Impervious Areas (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 [addressing@cityofmadison.com](mailto:addressing@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/pavement during construction will require a new CAD file (POLICY and MGO 37.09(2) & 37.05(4))

11. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. (MGO 10.05(6)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
12. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work (MGO 10.05(6)) and MGO 35.02(4)(c)(2)). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
13. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

**Please contact Pat Anderson, Zoning, at 266-5978 with questions about the following six (6) items:**

14. Parking requirements for persons with disabilities must comply with MGO Section 28.11(3)6(m), which includes all applicable State accessible requirements, including but not limited to:
  - a) Provide a minimum of six 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.
  - c) Show the accessible path from the stalls to the building.
15. Bike parking shall comply with MGO Section 28.11. Provide 20 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving.

**NOTE:** A bike-parking stall is two feet by six feet with a five-foot access area.

16. Meet applicable building and fire codes for the additional outdoor capacity and for ingress and egress of the establishment with the areas and uses for the site. Occupancy is established by the Building Inspection Unit. Contact Alan Harper at 266-4558 to help facilitate this process.
17. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations. Banners, pennants, temporary signs, portable signs, etc. are not a part of this approval.
18. Lighting is required and shall be in accordance with MGO Sec. 10.085 (Lighting Ordinance).
19. No portion of the site plan may change without Plan Commission approval, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of

Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the standards in MGO Sec. 28.12(11)(g).

**Please Contact Scott Strassburg, Madison Fire Department, at 261-9843 with questions about the following two (2) items**

20. Per the International Fire Code, 2009 edition (IFC) Chapter 10 and MGO Chapter 34:

- a) Applicant shall submit approved capacity with the site plan and post the capacity of the outdoor eating area in accordance with the IFC.
- 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 IFC.
- d) Submit a site plan showing any/all seating, bar, tent, dumpster, structures and fixtures for the proposed deck, patio, or fenced in area

21. On final plans, show how the occupant load was calculated.

**Please contact Dennis Cawley, Water Utility, at 261-9243 with questions about the following item.**

22. This property is not in a Wellhead Protection District. All wells on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

**Please now follow the procedures listed below for obtaining your demolition permit and 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 demolition permit and 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.

If you have any questions regarding obtaining your conditional use permit, please contact the Zoning Administrator at 266-4551. If I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

cc: Pat Anderson, Assistant Zoning Administrator  
Janet Dailey, City Engineering  
Scott Strassburg, Fire Department

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

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*Signature of Applicant*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input checked="" type="checkbox"/>	Engineering Mapping
<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 type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R & R)