



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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March 27, 2014

David Deadman
Chocolate Shoppe Ice Cream
2221 Daniels St.
Madison, WI, 53718

RE: Approval of a conditional use for a walk-up service window associated with a new ice cream shop in the TSS (Traditional Shopping Street) District.

Dear Mr. Deadman:

At its March 24, 2014 meeting, the Plan Commission found the standards met and **approved** your conditional use request for a walk-up service window at 2302 Atwood Avenue, subject to the conditions below. In order to receive final approval of the conditional use, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following 6 items:

1. The configuration of the Patio Area proposed to be constructed within the City of Madison owned Isthmus Bike Path Corridor shall be approved by City of Madison Engineering Staff. Upon approval of the plan by staff, the Applicant shall work with City of Madison Office Real Estate Services to draft a lease agreement. The lease agreement will require approval by the City of Madison Common Council and shall be ultimately recorded with the Dane County Register of Deeds. Specific guidelines for the construction are as follows: 1) maintain a minimum of 6 feet clearance from the bike path; 2) maintain a minimum of 2 feet clearance from the sidewalk; 3) do not remove any trees or brush unless specifically approved by the City.
2. The Applicant shall confirm if any proposed awnings or signs will encroach into the Atwood Avenue right of way. If any should encroach into the right of way, the Applicant shall make an application with City of Madison for a privilege in streets administered by the City of Madison Office of Real Estate Services.
3. The landscaping plan should include the type of surface the bike racks are to be located on and the type of surface the patio is to be made of.
4. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.

5. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
6. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)).

PDF submittals shall contain the following information:

- a) Building footprints
- b) Internal walkway areas
- c) Internal site parking areas
- d) Lot lines and right-of-way lines
- e) Street names
- f) Stormwater Management Facilities
- g) Detail drawings associated with Stormwater MgmtFacilities (including if applicable planting plans)

Please contact Dennis Cawley of the Water Utility at 266-4651 if you have any questions regarding the following 3 items:

7. Madison Water Utility shall be notified to remove the water meter prior to demolition.
8. This property is not in a wellhead protection district.
9. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 3 items:

10. Installation of the service window may impede the public sidewalk.
11. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
12. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.

Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 2 items:

13. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes, prior to sign installations. The maximum distance a projecting sign may project is 24" into the right-of-way, as authorized by Sec. 31.04(6).
14. If exterior lighting is provided, it shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency. No building permits shall be issued until the applicant has met all of the conditions of approval stated in this letter.

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

1. Please revise the plans per the above conditions and file **eight (8)** sets of complete, fully dimensioned, and to-scale plans, along with the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code. Also provide any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting 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 the conditional use approval, 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

cc: Janet Dailey, City Engineering Division
Jeff Quamme, City Engineering Division
Pat Anderson, Asst. Zoning Administrator
Heidi Fischer, Real Estate

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

Signature of Applicant

Signature of Property Owner, if not Applicant

For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (H. Stouder)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☐	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coord. (R&R)
☐	Fire Department	☒	Real Estate