



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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April 21, 2015

Jeykell Badell
La Taguara
3502 E. Washington Ave
Madison, WI, 53704

RE: Approval of a conditional use for an outdoor eating area in the Commercial Corridor-
Transitional (CC-T) Zoning District at **3502 East Washington Avenue**

Dear Mr. Badell:

At its April 20, 2015 meeting, the Plan Commission, meeting in regular session, approved your request to establish an outdoor eating area in the Commercial Corridor-Transitional (CC-T) District at 3502 East Washington Avenue. In order to receive final approval of the conditional use and for permits to be issued, the following conditions must be met:

Please contact Janet Schmidt, Engineering Division at 261-9688 if you have questions regarding the following four (4) items:

1. Property is a closed leaky underground storage (LUST) site with the DNR (BRRS # 03-13-237039). If contamination is encountered during construction, all WDNR & DSPS regulations must be followed. (Informational)
2. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
3. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
4. 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, and g) Detail drawings associated with Stormwater Mgmt Facilities (including if applicable planting plans)

Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following four (4) items:

5. Applicant shall install curb stops at a minimum of 2 feet from the edge of enclosed outdoor eating area on all sides adjacent to drive aisles and parking stalls.
6. All structural elements of the outdoor eating area shall conform to the standards of sidewalk café's as set in M.G.O. 9.13
7. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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.
8. Parking facility design shall conform to MGO standards, as set in section 10.08(6).

Please contact Matt Tucker, Zoning Administrator at 266-4569 if you have questions regarding the following seven (7) items:

9. Meet applicable building/fire codes. The outdoor capacity shall be established. Occupancy is established by the Building Inspection Unit. Contact Building Inspection Plan Reviewer Mike VanErem at 266-4559 to help facilitate this process.
10. Due to the proximity of the nearby restaurant, the facility is required to provide off-street parking. Parking equivalent to 15% of the capacity is required. Provide details on capacity of the restaurant-tavern, including outdoor seating area, so parking requirements can be calculated. NOTE: it appears as though this project will require a parking stall reduction, within a level approvable by the Zoning Administrator.
11. Bicycle parking design and location shall comply with Sec. 28.141(11) of the City of Madison General Ordinances. Provide details on final plans, a bike-parking stall is two feet by six feet with a five-foot access area. Provide detail of bike rack to be installed.
12. Provide a refuse enclosure for storage of the on-site refuse containers. Screening shall be between six and eight feet in height.
13. Any new exterior lighting shall be installed in compliance with MGO 10.085, the City's outdoor lighting regulations.
14. Sec. 28.142(8) requires district boundary screening for the abutting residential property to the north. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Show complaint screening on final plans.

15. The modification to the parking area will require the provision of a van-style accessible parking stall. Final site plan shall be revised to show the provision of this parking stall.

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

16. MFD does not object provided the patio fence does not obstruct exiting from the building.

Please contact my office at 267-1150 if you have questions regarding the following two (2) items:

17. This project is within Urban Design District 5 and reviewed by the Urban Design Commission Secretary on behalf of the Commission. As an informational note, the UDC Secretary notes that the café gates must comply with Chapter 31 (Sign Control Ordinance) of Madison General Ordinances.
18. Site Plan and other exhibits shall be consistent in regards to patio dimensions.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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

1. Please revise your plans per the above conditions and submit nine (9) copies of a complete, fully dimensioned and scaled 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. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. 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 conditional use approval standards.

6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use, demolition or building permits, 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 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Janet Schmidt, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Bill Sullivan, Fire Department
Matt Tucker, Zoning

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

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 checked="" 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 type="checkbox"/>	Other: