



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

October 10, 2014

Marc Torres
Cheba Hut
453 W. Gilman St.
Madison, WI, 53703

RE: Approval of a conditional use for an outdoor eating area associated with a restaurant-tavern in the UMX District.

Dear Mr. Torres:

At its October 6, 2014 meeting, the Plan Commission found the standards met and **approved** your client's conditional use request for an outdoor eating area at 453 West Gilman Street, 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 my office at 266-5974 if you have questions regarding the following 3 items:

1. The hours of operation for the outdoor eating area shall cease at 10:00 PM Sunday through Wednesday and 12:00 AM Thursday through Saturday.
2. There shall be no outdoor amplified sound in the outdoor eating area.
3. Final plans submitted for staff review and approval shall include a layout of the tables within the proposed outdoor seating area demonstrating that it is designed for a maximum capacity of 16 people, as was required by the Alcohol License Review Committee.

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

4. The Show and dimension the property lines of the parcel on the site plan.
5. The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
6. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
7. 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 Management Facilities (including if applicable planting plans)

Please contact Eric Halvorson of Traffic Engineering at 266-6527 if you have any questions regarding the following 2 item:

8. 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.
9. 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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

10. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

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

11. 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 Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 3 items:

12. Meet applicable building/fire codes. The current capacity will not be increased with this new outdoor seating area. Capacity shall be established by the Building Inspection Unit. Contact Mike Van Erem at 266-4559 to help facilitate this process.
13. Bike parking shall comply with MGO Table 28I-3. Provide bike parking stalls for said uses. Bicycle parking design and location shall comply with MGO Sec. 28.141(11). 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. A parking adjustment subject to MGO 28.141(5) shall be required if compliance is not met.
14. Provide details of refuse enclosure and fence.

October 10, 2014

Page 3

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 **seven (7)** 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 Schmidt, City Engineering Division
Jeff Quamme, City Engineering Division
Pat Anderson, Asst. Zoning Administrator
Eric Halvorson, Traffic Engineering
Bill Sullivan, Fire Department

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			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<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 type="checkbox"/>	Real Estate