



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

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September 5, 2014

Jim Vincent  
Blue Moon Bar & Grill  
2535 University Ave.  
Madison, WI 53705

RE: Approval of a conditional use for an outdoor eating area at 2535 University Avenue in the TSS (Traditional Shopping Street) District.

Dear Mr. Vincent:

At its August 25, 2014 meeting, the Plan Commission found the standards met and **approved** your client's request for a conditional use at 2535 University 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 my office at 266-5974 if you have questions regarding the following 3 items:**

1. Hours of operation for the outdoor eating area will cease at 9:00 PM Sunday through Wednesday and 10:00 PM Thursday through Saturday. The Director of the Planning Division may consider a minor alteration to the conditional use in the future to modify the hours of operation for the outdoor eating area following a recommendation by the district alder.
2. There shall be no outdoor amplified sound on the property.
3. The applicant shall investigate and install sound mitigation materials or use techniques to reduce noise levels on the patio.

**Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following 2 items:**

4. Provide a recorded copy, or draft and record a common access and parking easement/agreement between this property and the property located at 2545 University Avenue. The site plan identifies a common access to University Avenue and shows a total number of parking stalls between the two properties indicating common usage.
5. 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 Mgmt Facilities (including if applicable planting plans)

**Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 9 items:**

6. 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.
7. 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.
8. 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.
9. Provide details for refuse enclosure. Screening shall be between six and eight feet in height and any rooftop of ground-level mechanical equipment must be screened.
10. Any new exterior lighting shall be installed in compliance with MGO 10.085, the City's outdoor lighting regulations.
11. Sec. 28.142(8) requires district boundary screening for the abutting residential property to the south. An indication that a fence exists is included on the plan set, but it is not clear if this fence is on the subject property, or meets the minimum requirements for screening. Provide detail on this fence, noting the fence must be within the subject property and must be 6'-8' in height.
12. A Conditional Use was granted in 1997 at 2545 University Ave., providing accessory parking for the restaurant-tavern at 2535 University Ave. The propose project will increase the current capacity, thus increasing the demand of the accessory parking lot on the adjacent parcel. The current project shall require an alteration to the existing Conditional Use to be approved administratively as part of final sign-off for the project, subject to Section 28.137(2)(b).
13. NOTE: "Sidewalk Café" area within the right of way is not an outdoor eating area regulated by the City's zoning ordinance.

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

14. 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.
15. All parking facility design shall conform to MGO standards, as set in section 10.08(6)

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions about the following item:**

16. The additional square footage and increase in capacity to the building will require the installation of an automatic sprinkler system.

**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 building permits:**

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.

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

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit and conditional use.</p>  <p>_____</p> <p><i>Signature of Applicant</i></p>
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cc: Janet Schmidt, City Engineering Division  
Jeff Quamme, City Engineering Division  
Eric Halvorson, Traffic Engineering  
Pat Anderson, Asst. Zoning Administrator  
Bill Sullivan, Fire Department

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"/>	Metro Transit