

PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of June 13, 2007

RE: LD. # 06723, Conditional Use Application – 6802 Odana Road

1. Requested Action: Approval of a conditional use for an outdoor seating area to serve a restaurant located at 6802 Odana Road.
2. Applicable Regulations: Section 28.09 (2)(d) identifies outdoor eating areas as conditional uses in C3L zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant: Arom Wichitchu, Sa Bai Thong Restaurant; 938 University Bay Drive; Madison.
Agent: Kevin Kavanaugh, KRS; 2920 Bryant Road; Madison.
Property Owner: Park Towne Development Corp.; 40 Gammon Place; Madison.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Location: The subject site is a tenant space located in a multi-tenant retail-office building located on an approximately two-acre parcel located 600 feet east of S. Gammon Road on the north side of Odana Road; Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: The site is developed with a two-story retail-office building, zoned C3L (Commercial Service and Distribution District).
5. Proposed Land Use: The applicant wishes to operate an outdoor eating area in front of a portion of the restaurant located at the eastern end of the multi-tenant building.
6. Surrounding Land Use and Zoning: The subject site is generally surrounded to the west, east and south by a variety of retail, office, service and entertainment uses in the Park Towne commercial development in C3L (Commercial Service and Distribution District) zoning, including a McDonald's restaurant immediately west of the site. A City-owned stormwater management pond and greenspace adjoins the rear of the subject site to the north.
7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and other commercial properties along Odana Road for general commercial uses.

8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11).

ANALYSIS, EVALUATION & CONCLUSION

The applicant is requesting conditional use approval to establish an outdoor eating area for the Sa Bai Thong Thai restaurant located at 6802 Odana Road in C3L commercial zoning. The proposed outdoor seating area will occupy a 44-foot wide and 14-foot deep area along the south wall of the restaurant, which occupies a one-story, 14,750 square-foot wing of an otherwise two-story retail-office building located on the approximately two-acre parcel. The two-story portion contains 23,800 square feet of gross floor area in addition to the one-story restaurant, resulting in 38,550 square feet of commercial space onsite. The entire development is served by a 155-space surface parking lot located between the building and Odana Road. The restaurant tenant space is recessed from the front wall of the two-story section of the building.

The front of the proposed outdoor seating area will extend from the front, southern wall of the two-story building 44 feet before turning north 14 feet to connect to a side wall of the L-shaped restaurant space. Seating for 44 patrons is shown in the outdoor area, which will be enclosed with an approximately 38 ½-inch tall modular fence system that will be taken down at the end of the outdoor eating season. Details on the seating area, including specifications on the fence and furniture, are included with the Plan Commission materials. Hours of operation for the proposed outdoor eating area will be from 10 AM to 10 PM daily.

The Planning Division does not object to the establishment of the applicant's outdoor eating area and believes that the seating area will meet the standards for conditional uses. Staff does not feel that limitations on outdoor amplified sound or hours of operation are necessary for this outdoor eating area due to the overwhelmingly commercial character of the surrounding area, which is predominated by a wide variety of non-residential uses.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the conditional use standards are met for an outdoor seating area for a restaurant located at 6802 Odana Road, subject to input at the public hearing and comments from reviewing agencies.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: May 31, 2007
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 6802 Odana Road Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

NONE.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments: **NONE**

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Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

June 7, 2007

TO: Plan Commission
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager
SUBJECT: **6802 Odana Road – Conditional Use – Outdoor Eating Area**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The applicant shall provide a four (4) ft high fence along the outdoor eating area separating the eating area from min. 6 to 7 ft sidewalk area in front of the building. All information as tables and seating shall be shown or noted on the plan. This fence is required to prevent tables and seating from encroaching into the sidewalk area and defines the outdoor eating from the sidewalk for the customers.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Kevin Kavanaugh
Fax: 608-271-8268
Email: kris@tds.net

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: June 12, 2007

To: Plan Commission
From: Kathy Voeck, Assistant Zoning Administrator
Subject: 6802 Odana Rd., CU

Present Zoning District: C3L

Proposed Use: Outside eating area (44 seats) for Sa Bai Thong Restaurant

Conditional Use: 28.09(3)(d)2 Outdoor eating areas of a restaurant are a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	89,116 sq. ft.
Lot width	50'	340'
Front yard	0'	adequate
Side yards	0'	adequate
Floor area ratio	3.0	less than 1.0

Site Design	Required	Proposed
Number parking stalls (restaurant capacity 99, outside dining 44, retail/office 23,466 sq. ft.)	Retail/office 79 Restaurant 30 <u>Outside dining 12</u> Total 121	155
Accessible stalls	6	6
Loading	Existing	Existing
Number bike parking stalls	Existing	Existing
Landscaping	Existing	Existing
Lighting	Existing	Existing

Other Critical Zoning Items	
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.



CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295

Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: June 12, 2007
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **6802 Odana Road**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Per the IFC chapter 10 and MGO34: (*For outside seating and/or dining areas*)
 - a. Applicant shall submit approved capacity with the site plan and post the capacity of the outside dining area in accordance International Fire Code 2006 edition.
 - 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 International Fire Code 2006 edition.
 - d. Submit a seating plan for the proposed deck, patio or fenced in area space.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

None.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan

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kevin

From: Radomski, Noel [district19@cityofmadison.com]
Sent: Sunday, April 01, 2007 1:45 PM
To: Tucker, Matthew
Cc: krsi@tds.net; Parks, Timothy
Subject: 6802 Odana Road project--waiver of 30-day notice

Matt:

Friday I talked with Kevin Kavanaugh about a proposal for outside seating at Sa Bai Thong, 6802 Odana Road, and based on our conversation I agree to waive the 30-day public notice.

I also support the project.

Noel

Noel Radomski
Alderman, District 19
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Madison, WI 53705
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