



Department of Planning & Community & Economic Development

Planning Division

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April 14, 2020

Peter Kursel
Datcha House, LLC
2188 Heywood Circle
Fitchburg, WI 53575

RE: Legistar #59522; Accela ID: 'LNDUSE-2020-00015' -- Approval of a conditional use to allow limited production and processing of coffee and baked goods in a restaurant within a mixed-use building on a property zoned Traditional Shopping Street (TSS) at 2021 Winnebago Street.

Dear Mr. Kursel,

At its April 13, 2020 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to allow limited production and processing of coffee and baked goods in a restaurant within a mixed-use building on a property zoned TSS at 2021 Winnebago Street. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following five (5) items:

1. 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; vision triangles; 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 route s; dimensions of radii; and percent of slope.
2. 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.
3. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

4. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
5. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.

Please contact Jenny Kirchgatter, the Assistant Zoning Administrator at (608) 266-4569 if you have any questions regarding the following six (6) items:

6. Any change in the limited production and processing uses (coffee roasting and bakery), either through changing the product being produced or the intensity with which the product is produced and processed, requires a conditional use alteration pursuant to Sec. 28.183(8).
7. Vehicle parking is required for the restaurant (café). The vehicle parking requirement is a minimum number of stalls equal to 15 percent of capacity of persons. For non-residential uses, the applicant may reduce the parking requirement by the greater of (5) parking spaces or ten percent (10%) of the required parking. A further reduction of up to 20 spaces may be approved by the Zoning Administrator. Work with Zoning staff to determine the vehicle parking requirement and to submit the request for a parking reduction.
8. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building. Note that City issued trash containers are not required to be screened.
9. Verify whether rooftop or ground level mechanical equipment is proposed. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d). Provide screening details if new rooftop or ground level mechanical equipment is proposed.
10. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
11. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Brad Hofmann of City Forestry at (608) 267-4908 if you have any questions regarding the following two (2) items:

12. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All

proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.

13. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Please contact Jeff Quamme of the Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following item:

14. Revise the label of the shared driveway to Joint Driveway Easement per Document No 70663.

Please contact my office at (608) 243-0554 if you have any questions regarding the following items:

15. That the actual roasting of coffee only be permitted from 9:00 a.m. to 3:00 p.m. (consistent with the proposed hours) Monday through Friday and exclusive of City holidays. No roasting is allowed on Saturday or Sunday. This condition does not prohibit the applicant's activities to prepare for roasting, or for the non-roasting aspects of the coffee production, including the packaging and handling of products before or after they are roasted. Any change of hours or days for roasting shall require approval of a conditional use alteration.
16. That no change in the coffee roasting equipment to increase roasting capacity shall be allowed unless approved by the Plan Commission following a public hearing. Modifications to equipment to improve exhaust quality may be considered as minor alterations by the Director of the Planning Division following a recommendation by the District Alder.

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. After the plans have been revised per the above conditions, please resubmit a PDF copy of the complete, fully dimensioned, and to-scale plans, 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 (zoning@cityofmadison.com). Note that the 20MB email limit still applies. Please mail the check, made out to "City Treasurer", for the site plan review fee to the following

address: City of Madison Building Inspection P.O. Box 2984 Madison, WI 53701-2984. Include a cover page with the check, which includes the project address, brief description of the project, and contact information.

2. This property is not located within 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. A conditional use approval is valid for two (2) years 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. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to twelve (12) months from the expiration date.
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 or building permits, please contact the Zoning Administrator at (608) 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 (608) 243-0554.

Sincerely,



Sydney Prusak
Planner

cc: Brenda Stanley, Engineering
Jeffery Quamme, Engineering Mapping
Sean Malloy, Traffic Engineering

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

Jacob Moskowitz, Zoning
Bill Sullivan, Fire Department
Brad Hofmann, City Forestry

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Prusak)	<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
<input type="checkbox"/>	Water Utility		