



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 266-8739  
PH 608 266-4635

August 30, 2011

Dale and Debra Wells  
My Buddies LLC  
4325 Lien Road  
Madison, WI 53704

RE: Conditional Use approval for **4325 Lien Road** to operate an outdoor eating area for a restaurant and tavern

Dear Mr. and Ms. Wells:

At its August 29, 2011 meeting, the Plan Commission, meeting in regular session, found the standards were met and approved your conditional use application to operate an outdoor eating area for a restaurant and tavern at 4325 Lien Road, subject to the below conditions. Please note, this conditional use does not include approval to construct or operate outdoor sand volleyball courts.

To receive final approval of the conditional use, the following conditions must be met:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have any questions regarding the following four (4) items:**

1. Portions of the proposed volleyball courts do not appear to be on property owned by the applicant: My Buddies, LLC. Please provide recorded land ownership deeds or recorded land lease. If volleyball courts are not included in this review and approval then this condition is not required.
2. Existing recorded Declaration of Operation and Reciprocal Easement Document No. 2759228 as well as three different amendments (Document Nos. 2802993, 2803538 and 3092166) contain certain conditions and language defining the shared tenants and uses of the existing Planned Commercial Site. There may need to be modifications to these existing documents as well as application involvement by all other tenants affected by this proposal. If volleyball courts are not included in this review and approval then this condition is not required.
3. If necessary, the applicant shall further filter stormwater leaving the site by using silt sock downstream of the volleyball courts. If volleyball courts are not included in this review and approval then this condition is not required.
4. The final site plan shall include all existing property and right-of-way lines as well as reference to the recorded documents of any necessary instruments further amending the Declaration of Operation and Reciprocal Easement.

**Please contact Bill Sullivan, Madison Fire Department, at 266-4420 if you have any questions regarding the following item:**

14. The Madison Fire Department does not object to this project provided existing complies with all Building and Fire Codes.

**Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following eight (8) items:**

5. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
  - a. Provide the minimum for accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stalls.
  - c. Show the accessible path from the stalls to the building.
6. Bike parking shall comply with City of Madison General Ordinances Section 28.11.
7. Provide ten (10) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
8. Meet applicable building/fire codes for the additional outdoor capacity and for ingress and egress of the establishment with both of the proposed outdoor occupancy areas and at the site. Occupancy is established by the Building Inspection Unit. Contact Mike VanErem at 266-4559 to help facilitate this process.
9. Contact the City Clerk regarding changes to licensed areas, should you choose to serve food/drink or alcohol in the outdoor areas.
10. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations. Banners, Pennants, temporary signs, portable signs etc. are not approved as a part of this project.
11. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets, showing at least .5 foot candle on any surface on any lot and an average of .75 foot-candles. The maximum light trespass shall be 0.5 fc at 10 ft from the adjacent lot line.
12. Parking lot plans with greater than twenty (20) stalls shall comply with City of Madison General Ordinances Section 28.04 (12). Landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.

**Please contact my office, at 267-1150 if you have any questions regarding the following item:**

13. That City Building Inspection approves the capacity of the proposed outdoor eating area.

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

1. Please submit seven (7) copies of a complete plan set to the Zoning Administrator for final review and comment.
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. The Water Utility will not need to sign off the final plans, and not need a copy of the approved plans.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
4. 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 267-1150.

Sincerely,

Kevin Firchow, AICP  
 Planner

cc: Janet Dailey, City Engineering  
 Patrick Anderson, Zoning  
 Bill Sullivan, Madison Fire Department

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit and conditional use.</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>
---

<b>For Official Use Only, Re: Final Plan Routing</b>			
<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 type="checkbox"/>	Urban Design Commission
<input type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: