



Department of Planning & Community & Economic Development
Planning Division

Website: 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

February 8, 2011

Thomas List
4370 Citation Court
Cottage Grove, WI 53527

RE: Approval of a conditional use for an outdoor eating area in the C3 (Highway Commercial) District.

Dear Mr. List:

The Plan Commission, meeting in regular session on February 7, 2011 determined that the ordinance standards could be met and **approved** your client's request for a conditional use at 1026 North Sherman Avenue. In order to receive final approval for the conditional use, the following conditions must be met:

Please contact my office at 266-5974 with questions about the following three (3) items:

1. Final plans shall include detail on the screening proposed to surround the outdoor eating area.
2. The applicant is encouraged to relocate the deck to the north side of the building. If the deck remains on the south side of the building, a survey shall be submitted to confirm that it will be located entirely on the subject property (see Engineering Condition No. 5 below).
3. Use of the outdoor eating area shall cease at 9:00 pm on Sundays, 10:00 pm Monday through Thursday, and midnight on Fridays and Saturdays.

Please contact Janet Dailey, City Engineering, at 261-9688 with questions about the following two (2) items:

4. The site plan shall be revised to clearly identify and differentiate the pervious and impervious areas within the site.
5. The submitted site plan lacks exact width dimensions of the proposed deck, as well as available side yard dimensions along the north property line. It is unclear whether the proposed deck could be erected entirely within the owner's property without encroachment on the adjacent property. The applicant/owner shall have a Registered Land Surveyor prepare a plat of survey of the site to confirm the location of both existing and proposed conditions relative to the property lines. Although a complete plat of survey is in the best interest of the owner, a potential suggestive cost saving option to the applicant would be to request separate cost estimates from the Surveyor for:
 - a) A complete plat of survey of the entire site, or
 - b) A "line survey" of only the more critical north property line:

Please contact John Leach, Traffic Engineering, at 267-8755 with questions about the following seven (7) items:

6. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
7. The existing noted parking spaces shall not block the driveway approach. The applicant shall revise site plans as not to block the driveway approach and accommodate back up and two-way operation for ingress and egress to North Sherman Avenue according to Madison General Ordinances.
8. The applicant shall design the surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The noted existing parking has been modified from the approved site plan. The applicant shall modify parking spaces in accordance to MGO parking standards.
9. The applicant shall prevent encroachment with parking and outdoor eating area onto adjacent land areas and public sidewalk by barriers of some type, which shall be noted on the face of the revised plans.
10. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turnaround area ten (10) to twelve (12) feet in width and signed with a "No Parking Anytime".
11. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
12. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Pat Anderson, Zoning, at 266-5978 with questions about the following five (5) items:

13. Parking requirements for persons with disabilities must comply with MGO Sec. 28.11(3)6(m), which includes all applicable State accessibility requirements, including but not limited to:
 - a) Provide a minimum of one accessible stall striped per State requirements. This 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.
14. Bike parking shall comply with MGO Sec. 28.11. Provide 2 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.
15. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a plan 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 (see City of Madison lighting ordinance).
16. Parking lot plans with greater than twenty (20) stalls shall comply with MGO Sec. 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.

17. On final plans, provide detail of trash enclosure.

Please Contact Bill Sullivan, Madison Fire Department, at 266-4420 with questions about the following three (3) items:

- 18. IFC 1004.3. Capacities for the interior and exterior deck shall be posted in accordance with this section.
- 19. IFC 505.1. Ensure the building address is posted in accordance with this section.
- 20. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Please now follow the procedures listed below for obtaining your demolition permit and conditional use permit:

- 1. Please revise your plans per the above and submit **eight (8) copies** of a complete plan set to the Zoning Administrator for final staff review and comment.
- 2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting the conditional use permit.
- 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 your conditional use permit, please contact the Zoning Administrator at 266-4551. 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: Pat Anderson, Assistant Zoning Administrator
 Janet Dailey, City Engineering
 John Leach, Traffic Engineering
 Bill Sullivan, Fire Department

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use permit.</p> <p>_____</p> <p style="text-align: center;"><i>Signature of Applicant</i></p> <p>_____</p> <p style="text-align: center;"><i>Signature of Property Owner</i></p>

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input type="checkbox"/>	Recycling Coordinator (R & R)
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other:
<input checked="" type="checkbox"/>	Engineering Mapping	<input type="checkbox"/>	Other: