



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

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

Madison Municipal Building  
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FAX 608 267-8739  
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May 9, 2008

Imelda Perez  
Taqueria Guadalajara  
1033 S. Park Street  
Madison, Wisconsin 53715

RE: Approval of a conditional use for an outdoor eating area at a restaurant located at 1033 S. Park Street (Josefina Trejo).

Dear Ms. Perez:

The Plan Commission, meeting in regular session on May 5, 2008 determined that the ordinance standards could be met and **approved** your request a conditional use for an outdoor eating area, subject to the conditions below. In order to receive final approval of the conditional use and prior to construction and occupancy of the new patio, the following conditions must be met:

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following three items:**

1. The applicant shall provide a four (4) foot high fence or railing along the outdoor eating area separating the eating area from the public area or parking lot. 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 public areas and parking lot area and defines the outdoor eating.
2. The applicant shall modify the parking spaces at 1035 S. Park Street to be in accordance to MGO Standard Parking Design. The applicant will need to eliminate the accessible parking space to accommodate the eating area.
3. The applicant shall indicate the type and location of bicycle racks for both 1033 and 1035 S. Park Street to be installed.
4. 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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two feet overhang, and a scaled drawing at 1" = 20'.
5. When site plans are submitted for approval, the applicant shall provide recorded copy of the joint driveway ingress/egress and parking easements or the applicant shall prevent encroachment onto adjacent land areas by barriers of some type, which shall be noted on the face of the revised plans.
6. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.

7. 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, Assistant Zoning Administrator, at 266-5978 if you have questions about the following three items:**

8. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Show signage at the head of the accessible stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
  - b.) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
9. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.
10. If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee will establish conditions for operation, which involve fencing, security guards, toilet facilities, litter, etc. All businesses that sell alcohol must comply with the requirements imposed by the Alcohol License Review Committee at the time of issuance of your original application to expand or change your licensed premises to include the outdoor eating area. It is your responsibility to have the outdoor service area added to your licensed premise. Please contact the City Clerk's office for ALRC issues.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:**

11. Per the International Fire Code Chapter 10 and MGO Section 34:
  - a.) the 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.) the 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.

**Please contact my office at 261-9632 if you have any questions about the following three Plan Commission conditions of approval:**

12. That no outdoor amplified sound be permitted for the outdoor eating area.
13. That operation of the outdoor eating area cease at **9:00 P.M.** Monday through Sunday.
14. That the site plans be revised per Planning Division approval to show a minimum of two covered 50-gallon waste receptacles to serve the outdoor eating area, or that the applicant provide additional information on how trash from the outdoor area will be managed.

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

1. Please revise your plans per the above and submit *six (6) copies* of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.

2. 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.
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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

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

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*Signature of Applicant*

cc: Pat Anderson, Assistant Zoning Administrator  
Scott Strassburg, Madison Fire Department  
John Leach, Traffic Engineering  
Janet Dailey, Engineering Division

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