



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

July 1, 2020

Tom Bobek
Bobek & Bobek Construction
3125 Hawks Haven Trail
DeForest, Wisconsin 53532

RE: Consideration of a conditional use for an outdoor eating area for a restaurant-tavern located at 224 Ohio Avenue. (LNDUSE-2020-00055; ID 60479)

Dear Mr. Bobek;

On June 29, 2020, the Plan Commission found the standards met and **approved** your conditional use request for an outdoor eating area for 224 Ohio Avenue. Prior to issuance of building or occupancy permits for the outdoor eating area, the conditions of approval in the following sections shall be satisfied:

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following three (3) items:

1. Identify on the plans the lot and block numbers of the recorded plat. The site plan shall show the location of the property lines in the vicinity of the proposed patio to be constructed.
2. Provide the complete legal description of the site or property being subjected to this application on the site plan.
3. The parcel is 30 feet wide. The patio deck is dimensioned as 28 feet wide. It appears the deck would actually be 24 feet wide when scaling the drawing. Correct any incorrect dimensions.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following item:

4. The applicant shall provide a clearly defined five (5)-foot wide walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheelchair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following three (3) items:

5. Submit an overall site plan showing the location of the outdoor seating area.
6. A vehicle parking reduction will be required per Section 28.141(5). Submit a request for a parking reduction with the final plan submittal including information to support the argument for reducing the required number of spaces. As the commercial tenant spaces are leased, the entire development must reflect compliance in the required amount, type and number of vehicle parking spaces, to be reviewed prior to obtaining zoning approval for each future tenant space use. Future parking reductions may be required prior to obtaining zoning approval for future tenant uses.
7. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11) for all tenants in the multi-tenant building. Provide a minimum of 5% of capacity in short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located in a convenient and visible area on a paved or impervious surface within 100 feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the existing or proposed bike racks.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

8. Ensure exit hardware on the exit gate complies with the IBC Chapter 10.

Please contact my office at 261-9632 if you have questions about the following four (4) items:

9. That the hours of operation for the outdoor eating area shall be until 10:00 PM as stated in the letter of intent. No service shall occur in the outdoor area after the closing hour on a given day, and patrons may not utilize the outdoor patio area after those hours for smoking or otherwise. The Director of the Planning Division may consider a minor alteration to the conditional use in the future to further modify the hours of operation for the outdoor eating area following a recommendation by the district alder.
10. That the door to the outdoor eating area remain closed [not be propped open] at all times.
11. Outdoor amplified sound, including from televisions, ambient music, or musical performance, is prohibited.
12. The applicant shall submit an accurate site plan prior to final approval and issuance of building or occupancy permits that clearly shows the existing building, proposed outdoor eating area, remaining parking lot, including the portion of the parking lot located on the adjacent City parcel, and property lines. The site plan shall include dimensions of the outdoor area and identify where the emergency exit from the patio will be located.

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 permits for your project:

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to Zoning@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve 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 Plan Commission and the conditional use standards. This approval shall become null and void one (1) 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 6 months of the issuance of said building permit. 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 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Jeff Quamme, City Engineering Division
Sean Malloy, Traffic Engineering Division
Jacob Moskowitz, Asst. Zoning Administrator
Bill Sullivan, Madison Fire Department

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

LNDUSE-2020-00055			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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"/>	Other:
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: