



Department of Planning & Development
Planning Unit

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December 6, 2006

John Vesperman
1217 Reder Drive
Madison, WI 53593

SUBJECT: 1405 Emil Street –Licari’s Bar & Grill

Dear Mr. Vesperman:

The Plan Commission, at its December 4, 2006 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for an outdoor eating area located at 1405 Emil Street.

In order to receive final approval of your proposal, the following conditions must be met:

Please contact John Leach, City Traffic Engineering, at 266-4761 if you have questions regarding the following seven items:

1. The applicant shall provide a four (4) ft high fence along the outdoor eating area or patio separating the eating area from the parking lot. All information as tables and seating shall be shown or noted on the plan. The fence is required to prevent the seating area from encroaching onto the sidewalk or pedestrian walkway.
2. 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), adjacent driveway approaches to lots on either side and across the street, 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'.
3. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements if required.
4. All signs to be installed shall note on the plan to secure the proposed traffic operation. All signage at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
5. The applicant shall show the dimensions for proposed and existing parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, using 9 ft wide parking spaces according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned.

6. 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 Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following two items:

7. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) formats and contain the following data, each on a separate layer name/level number:

- a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines
 - g) Lot numbers
 - h) Lot/Plat dimensions
 - i) Street names
8. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.

Please contact Kathy Voeck or Matt Tucker, the Zoning Administrator, at 266-4551 if you have questions regarding the following four items:

9. Note: The capacity of the inside and outside eating area is limited to 80 persons total per the building code and for the parking provided.
10. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of **one** accessible stall striped per State requirements. A minimum of one of the stalls shall be van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stall. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.**
11. Provide **two** bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
12. Parking lot plans with greater than twenty (20) stalls, 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.

Approval of this proposal does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

Please follow the procedures listed below to receive your conditional use approval.

1. Please revise plans per the above conditions and submit twelve (12) sets of the final site plans to the Zoning Administrator. The final plans are reviewed and approved by Traffic Engineering, Fire Department, City Engineering, and Zoning. Any of these agencies may call you to request additional information or to resolve problems.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting cover sheet approval.
3. No alteration of this proposal shall be permitted unless approved by the City 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 Plan Commission approval unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the date of issuance of the building permit. See Section 28.12(11)(h)(3), Madison General Ordinances. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against this approved conditional use.

IF YOU HAVE ANY QUESTIONS REGARDING OBTAINING YOUR BUILDING PERMIT OR OCCUPANCY PERMIT, PLEASE CALL MATT TUCKER OR KATHY VOECK OF THE CITY ZONING STAFF AT 266-4551.

Sincerely,

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

Bill Roberts
Planning & Development

Applicant

cc: Zoning Administrator
City Engineering
Traffic Engineering

Zoning City Engineering Traffic Engineering
