



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
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May 3, 2011

Adam C. Mais
Logan's Madtown
322 West Johnson Street
Madison, WI 53703

RE: Conditional Use approval for **322 West Johnson Street** to construct and operate an outdoor recreation area for a restaurant / tavern.

Dear Mr. Mais:

At its May 2, 2011 meeting, the Plan Commission, meeting in regular session, found the standards were met and approved your conditional use application to construct and operate an outdoor recreation area (sand volleyball courts) for a restaurant and tavern at 322 West Johnson Street. 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 three (3) items:

1. It is understood that the applicant will place sand over the existing asphalt impervious area which will in fact remain. This sand covered asphalt will remain as an impervious area in city stormwater utility records for billing purposes.
2. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
3. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

Please contact Bryan Walker, Traffic Engineering, at 267-8754 if you have any questions regarding the following item:

4. Applicant shall submit two different seasonal plans, one showing the layout of the parking with the volleyball area during the summer and one showing the layout of the parking without the volleyball area during the winter. Specific dates of each season shall be noted on the face of each plan.

Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following five (5) items:

5. 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.
6. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations.
7. Provide a detailed landscape plan. Show species and sizes of landscape elements. 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.) It appears that 2 Blue Arrow Redcedar Junipers will be removed from approved plan.
8. 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.
9. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of two 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. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. 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.

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

10. The required exiting from the outdoor patio shall be maintained at all times. Obtain necessary approvals from the City of Madison Building Inspection Unit.

Please contact my office, at 267-1150 if you have any questions regarding the following three (3) items:

11. As proposed in the applicant's materials:
 - a. This use and related improvements are seasonal.
 - b. That no extra speakers or sound producing devices will be provided for the volleyball courts. Note, that any outdoor amplified sound on the existing patio is prohibited after 10:00 pm, per the 2009 conditional use approval.
 - c. That hours of operation for the volleyball court end by 9:00 pm, nightly.
 - d. No additional lighting is proposed.

Modifications to the above will require approval of an alteration to this conditional use.

12. That all temporary fencing, netting, and visibility reducing screens be removed at the end of the season.
13. That Planning Division staff shall approve the design of the fencing, netting, and materials used for the visibility reducing screen.

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

1. Please submit eight (8) 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
 John Leach, Traffic 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 conditional use.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>

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