



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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February 25, 2014

Todd Mosher
Atwell, LLC
1245 E Diehl Road, Suite 100
Naperville, IL 60563

RE: Approval of a conditional use to allow for new and expanded outdoor display areas and temporary outdoor events at **2425 East Springs Drive**

Dear Mr. Mosher:

At its February 24, 2014 meeting, the Plan Commission, meeting in regular session, approved your client's request for a conditional use at 2425 East Springs Drive to allow for new and expanded outdoor display areas and temporary outdoor events. In order to receive final approval of the conditional use and for permits to be issued, the following conditions must be met:

Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following three items:

1. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
2. The applicant shall maintain 10' vision triangle at all ingress and egresses.
3. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Please contact Patrick Anderson, Assistant Zoning Administrator at 266-5978 if you have questions regarding the following eight items:

4. A temporary use permit shall be required for each temporary outdoor event. These shall be renewed annually for each event. Work with Pat Anderson in Zoning for application requirements.

5. Previous approved plans provided outdoor display without limitation on time of display (24 hours per day was allowed). The current zoning code limits outdoor display not to exceed 16 hours per day. Existing outdoor display areas approved under the 1999 site plan may remain without a daily time limit. Any new outdoor display areas shall be limited to display for no more than 16 hours per day. Clearly identify pre-existing outdoor display areas (no time limit) and proposed new outdoor display areas limited to 16 hours per day on the final submitted site plan.
6. No material or items, including sheds, trailers or similar items for sale and or display, shall be placed in the parking lot outside of designated outdoor display or temporary outdoor event areas.
7. Meet all supplemental regulations pursuant to Section 28.151, (Outdoor display and Temporary Outdoor Events).
8. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances prior to sign installations. Banners, pennants, temporary signs, portable signs etc. are not approved as a part of this project.
9. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. If any exterior lighting is to be installed, provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.

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

10. Develop an annual training program that requires store managers and assistant managers to review permitted storage locations and arrangements based on approved documents for both exterior and interior operations.

Please contact my office at 267-1150 if you have questions regarding the following three items. Please note that condition 12 includes the modifications approved by the Plan Commission at their February 24, 2014 meeting.

11. That the "approved display area" adjacent to the front of the store be revised to reflect the existing site plan. The approved plan provides just over 5 feet of clear sidewalk between the edge of the display area and the edge of the "customer drop-off lane."
12. The Plan Commission determined that per Section 33.24(4)(f)(2)c Madison General Ordinances there were unique or unusual circumstances that warranted special consideration to achieve a superior design solution and waived the requirement for an eight-foot wide clear path along the length of the front of the building. The Plan Commission required that a minimum five-foot wide clear path be provided along the length of the front of the building. Details shall be approved by Planning, Zoning, and the Traffic Engineering staff prior to final sign off and commencing use of the approved areas.
13. That the fabric screening enclosure is not included along the street side of the parking lot temporary outdoor event/existing display area.

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 your conditional use:

1. Please revise your plans per the above conditions and submit eight (8) copies of a complete, fully dimensioned and scaled 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. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
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 will not need a copy of the approved plans.
4. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
5. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
6. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for 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 City Plan Commission and the conditional use approval standards.
7. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use, demolition or building permits, 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 Division
Eric Halvorson, Traffic Engineering Division
Bill Sullivan, Fire Department
Patrick Anderson, Zoning

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

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: