



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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May 19, 2020

Hawk Sullivan
Jade Monkey
4613 Maher Avenue
Madison, WI 53716

RE: Legistar #60166; Accela ID: 'LNDUSE-2020-00043' -- Approval of a conditional use to establish an outdoor eating area for a tavern on a property zoned Commercial Corridor – Transitional (CC-T) District at 219 Cottage Grove Road.

Dear Mr. Sullivan,

At its May 19, 2020 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to establish an outdoor eating area for a tavern in an existing multi-tenant commercial building on a property zoned Commercial Corridor – Transitional (CC-T) District at 219 Cottage Grove Road. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact my office at sprusak@cityofmadison.com if you have any questions regarding the following item:

1. No outdoor amplified sound (from music, televisions, etc.) or live musical performance shall be allowed in the outdoor eating area.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following ten (10) items:

2. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.

3. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
4. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
5. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
6. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
7. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
8. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer. This may involve the removal of parking stalls and/or driveway alterations.
9. TE recommends the applicant install a pedestrian walkway from the front door to the public ROW.
10. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
11. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

Please contact Jacob Moskowitz, the Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following four (4) items:

12. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum number of short-term bicycle parking stalls equal to five percent (5%) of capacity of persons (8 stalls) for the proposed restaurant-tavern located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.

13. Submit an updated landscape plan showing the new patio area.
14. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.
15. Show the proposed pergola on the site plan. This structure will also require a building permit.

Please contact Bill Sullivan of the Fire Department at (608) 261-9658 if you have any questions regarding the following item:

16. The occupant load of the patio shall be included with the overall capacity of the tavern. Occupant load exceeding 100 persons require the installation of a fire sprinkler system.

Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following item:

17. Metro Transit operates daily all-day transit service along Atwood Avenue/Monona Drive in the Cottage Grove Road intersection, approximately 800 west of this property.

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. After the plans have been revised per the above conditions, please resubmit a PDF copy of the complete, fully dimensioned, and to-scale plans, 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 (zoning@cityofmadison.com). Note that the 20MB email limit still applies. Please mail the check, made out to "City Treasurer", for the site plan review fee to the following address: City of Madison Building Inspection P.O. Box 2984 Madison, WI 53701-2984. Include a cover page with the check, which includes the project address, brief description of the project, and contact information.
2. This property is not located within 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.
3. 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.
4. A conditional use approval is valid for two (2) years 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. 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 twelve (12) months from the expiration date.

5. 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.
6. 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 or building permits, please contact the Zoning Administrator at (608) 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 (608) 243-0554.

Sincerely,



Sydney Prusak
Planner

cc: Brenda Stanley, Engineering
Sean Malloy, Traffic Engineering
Jacob Moskowitz, Zoning
Bill Sullivan, Fire Department
Tim Sobota, Metro Transit

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

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. (Prusak)	<input 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 checked="" type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	