



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://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 608 267-8739  
PH 608 266-4635

May 22, 2007

Dean Welch & Erik Thebert  
Lucky 13 Enterprises, LLC  
2133 Chadbourne Avenue  
Madison, Wisconsin 53726

RE: Approval of a conditional use for an outdoor seating area to serve a coffeehouse/ restaurant located at 11 N. Allen Street.

Gentlemen:

The Plan Commission, meeting in regular session on May 21, 2007 determined that the ordinance standards could be met and **approved** your request a conditional use for an outdoor eating area, subject to the conditions below. In order 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 questions regarding the following two items:**

1. Revise the plan to identify existing topographical features directly north of, and adjacent to, the existing building. Clarify if this is impervious shared access with the property to the north, or greenspace similar to that shown to the south of the proposed outdoor eating area.
2. Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko. Provide second floor apartment information, relative to number of dwelling units, to City Engineering ([lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) or call 266-5952), to enable necessary address coordination with various city records.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following three items:**

3. The applicant shall show bicycle racks to be placed outside the building. In addition, applicant shall indicate the type of bicycle racks to be installed outside.
4. 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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two feet overhang, and a scaled drawing at 1" = 20'.

5. 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 Doug Voegeli, Madison Health Department, at 294-5338 if you have questions about the following item:**

6. No food dispensing or preparation is allowed in the outdoor area. If smoking is permitted, at least 40% of the area must remain open to the environment.

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

7. Per the International Fire Code Chapter 10 and MGO Section 34:
  - a.) the applicant shall submit approved capacity with the site plan and post the capacity of the outside dining area in accordance International Fire Code 2006 edition;
  - b.) the proposed deck, patio or fenced in area shall not be located at, adjacent or obstruct the required exits from the building;
  - c.) provide and maintain exits from the deck, patio or fenced in area in accordance with the International Fire Code 2006 edition;
  - d.) submit a seating plan for the proposed deck, patio or fenced in area space.

**Please contact my office at 261-9632 if you have any questions about the following three Plan Commission conditions of approval:**

8. That no outdoor amplified sound be permitted for the outdoor eating area.
9. That the applicants submit detailed plans showing existing and proposed landscaping and screening (fencing) along the northern and eastern property lines per Planning Division approval to ensure adequate screening and enclosure of the outdoor eating area from the residences to the north and east.
10. That operation of the outdoor eating area cease at 10:00 P.M. Monday through Sunday.

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

1. Please revise your plans per the above and submit *seven (7) copies* of a complete 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.
2. 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.
3. 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 demolition permit.

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

Sincerely,

Timothy M. Parks  
Planner

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

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*Signature of Applicant*

- cc: Kathy Voeck, Assistant Zoning Administrator  
Bill Sullivan, Madison Fire Department  
John Leach, Traffic Engineering  
Doug Voegeli, Health Department  
Janet Dailey, Engineering Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (T. Parks)	<input type="checkbox"/>	Recycling Coordinator (R & R)
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: