



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

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March 25, 2014

Robert Worm  
Essen Haus  
514 E Wilson Street  
Madison, WI 53703

RE: Approval of a Conditional Use and SIP (Specific Implementation Plan) alteration for the re-approval of an outdoor recreation area for a restaurant-tavern at **514 East Wilson Street**

Dear Mr. Worm:

At its March 24, 2014 meeting, the Plan Commission, meeting in regular session, approved your request for a Conditional Use and SIP (Specific Implementation Plan) alteration for the re-approval of an outdoor recreation area for a restaurant-tavern at **514 East Wilson Street**. In order to receive final approval of the conditional use and for permits to be issued, the following conditions must be met:

**Please contact Janet Dailey, Engineering Division at 261-9688 if you have questions regarding the following eight (8) items:**

1. The Essen House seasonal volleyball within the parking area shall be addressed to 134 S. Blair Street.
2. Update to site plans to reflect the correct street name of S. Blair Street.
3. The Applicant shall propose a more permanent method of control for erosion from the sand pit system. Contact Jeff Benedict at 267-1198 to discuss further and to obtain examples of acceptable practices.
4. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
5. 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.

6. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website – as required by Chapter 37 of the Madison General Ordinances.
7. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and MGO 37.09(2)). PDF submittals shall contain the following information:
  - a) Building footprints
  - b) Internal walkway areas
  - c) Internal site parking areas
  - d) Lot lines and right-of-way lines
  - e) Street names
  - f) Stormwater Management Facilities
  - g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
8. 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.

**Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following three (3) items:**

9. A barrier shall be constructed around the volleyball court to prevent vehicle encroachment. An acceptable barrier can be constructed of timbers or any material substantial enough to absorb a low speed vehicular impact to a height of 24" and shall not encroach on the 24' drive isle. Final design shall be approved by the Traffic Engineering and City Engineering Divisions.
10. 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.
11. 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 five (5) items:**

12. Meet applicable building/fire codes for the additional outdoor capacity and for ingress and egress of the establishment with both of the proposed outdoor occupancy areas and at the site. Occupancy is established by the Building Inspection Unit. Contact Mike VanErem at 266-4559 to help facilitate this process.
13. Contact the City Clerk regarding changes to licensed areas, should you choose to serve food/drink or alcohol in the outdoor areas.
14. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations. Banners, pennants, temporary signs, portable signs etc. are not approved as a part of this project.
15. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets.
16. Meet all City of Madison Engineering requirements and erosion control standards.

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

17. As stated in the letter of intent/management plan: That this use may be operated from the first week of May through the first week of September.
18. As stated in the letter of intent/management plan: That no additional outdoor amplified sound, or similar sound producing devices, shall be added as part of this approval.
19. As stated in the letter of intent/management plan: That hours of operation for the sand volleyball court shall be from 5:30 pm – 10:30 pm Monday through Friday and from Noon-9:00 pm on Saturdays and Sundays.

**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. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. This property is in wellhead protection district WP-17. This proposed use is allowed in this district. Any proposed changes in use shall be approved by the Water Utility General Manager or his designee. The Water Utility will not need to sign off the final plans, and will 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 conditional use approval.
4. 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.
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, 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.	
_____ <i>Signature of Applicant</i>	
_____ <i>Signature of Property Owner (if not the applicant)</i>	

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: