

PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of June 13, 2007

RE: I.D. # 06724, Conditional Use Application – 5404 Raywood Road

1. Requested Action: Approval of a conditional use for an outdoor seating area to serve a restaurant/ tavern located at 5404 Raywood Road.
2. Applicable Regulations: Section 28.09 (3)(d) identifies outdoor eating and recreation areas as conditional uses in C2 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant: David Arms, South Bay Lounge; 3138 Ashford Lane; Madison.

Property Owner: Joe Klinzing; 714 Interlake Drive; Monona.
2. Development Schedule: The applicant wishes to proceed as soon as all necessary approvals have been granted.
3. Location: Approximately 0.4-acres generally located at the southwest corner of Raywood Road and Frazier Avenue; Aldermanic District 14; Madison Metropolitan School District.
4. Existing Conditions: The site is developed with a single-story restaurant/ tavern, zoned C2 (General Commercial District).
5. Proposed Land Use: The applicant wishes to operate an outdoor eating area along the eastern wall of the building.
6. Surrounding Land Use and Zoning: The subject site is surrounded to the north, south and west by single-family residences in R1 (Single-Family Residence District) zoning. A vacant lot zoned R3 (Single and Two-Family Residence District) abuts the southern property line of the site. The property east of the site across Raywood Road is developed with a commercial building, zoned C2 (General Commercial District).
7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site for medium-density residential uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11).

ANALYSIS, EVALUATION & CONCLUSION

The applicant is requesting conditional use approval for an existing unapproved outdoor eating area for the South Bay Lounge & Grill located at 5404 Raywood Road in C2 commercial zoning. The one-story, 1,760 square-foot restaurant/ tavern is located at the southwest corner of Raywood Road and Frazier Avenue in an area characterized by residential uses to the north, west and south, and by commercial uses to the east along South Towne Drive and West Broadway. A parking lot for 12 vehicles is located between the north wall of the building and Frazier Avenue, with access to the lot from Raywood Road. The building is otherwise set back approximately 60 feet from the western property line and approximately 45 feet from the southern property line. A vacant R3-zoned lot abutting the southern property line currently separates the subject property from the nearest single-family residence to the south.

The outdoor seating area occupies an eight-foot deep space located along the 32-foot long eastern wall of the establishment adjacent to Raywood Road that the applicant describes as his "front porch." The seating area is located on either side of the primary entrance to the restaurant/tavern and has a total of four tables and capacity for ten persons. The porch space is elevated above the street 2-3 feet with a set of steps from the porch down to Raywood Road and a decorative wood railing around the perimeter. The edge of the outdoor eating area is approximately 15 feet from the eastern property line.

The Planning Division generally does not object to the outdoor eating area for the restaurant/ tavern and believes that the use can meet the standards for conditional uses. However, the letter of intent and site plans submitted do not provide any information on the hours of operation for the outdoor eating area or whether amplified sound will be provided. In general, given the residential nature of most of the surrounding neighborhood, staff recommends that the Plan Commission consider placing a restriction on the hours of operation for the outdoor eating area and a prohibit any outdoor amplified sound, including public-address systems for orders and the playing or performing of amplified live or recorded music.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the conditional use standards are met for an outdoor seating area for a restaurant/ tavern located at 5404 Raywood Road, subject to input at the public hearing and the following conditions:

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1. Comments from reviewing agencies.
2. That no outdoor amplified sound be permitted for the outdoor eating area.
3. That operation of the outdoor eating area cease at 10:00 P.M. Sunday through Thursday and at 11:00 P.M. Friday and Saturday.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: May 31, 2007
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 5404 Raywood Road Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

NONE.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments: **NONE**



Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

June 7, 2007

TO: Plan Commission
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager
SUBJECT: **5404 Raywood Road – Conditional Use – Outdoor Eating Area**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The applicant shall provide information as tables and seating locations be shown or noted on the plan. In addition, a four ft. fence maybe required to prevent tables and seating from encroaching into the parking area or right-of-way.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. 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), percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Mail to:
David Arms
3138 Ashford Ln
Madison WI 53713

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: June 11, 2007

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 5404 Raywood Rd.

Present Zoning District: C-2

Proposed Use: Outdoor eating area for South Bay Lounge tavern

Conditional Use: 28.09(3)(d)2 Outdoor eating areas of a restaurant are a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

1. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
2. Contact the City Clerk regarding the "change of license premise" to your liquor license.
3. 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.)
4. 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.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	18,065 sq. ft.
Lot width	50'	141'
Usable open space	n/a	n/a
Front yard	25' for 25' adj. to res.	adequate
Side yards	5'	adequate
Rear yard	10'	adequate
Floor area ratio	3.0	less than 1.0
Building height	---	1 story

Site Design	Required	Proposed
Number parking stalls	15	12 (Parking reduction obtained)
Accessible stalls	1	provided
Loading	n/a	n/a
Number bike parking stalls	2	(1)
Landscaping	Yes	(3)
Lighting	No	(4)

Other Critical Zoning Items	
Flood plain	No
Utility easements	None shown
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.

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CITY OF MADISON FIRE DEPARTMENT

Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: June 12, 2007
TO: Plan Commission
FROM: Edwin J. Ruckriegel, Fire Marshal
SUBJECT: **5404 Raywood Road**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

No comments.

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

1. Per the IFC chapter 10 and MGO34: (***For outside seating and/or dining areas***)
 - a. Proposed deck, patio or fenced in area shall not be located at, adjacent or obstruct the required exits from the building.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan

April 23, 2007

Matthew Tucker

Madison Plan Commission
215 Martin Luther King Boulevard
Room LL-100
PO Box 2985
Madison, WI 53701-2985

Request Of South Bay Lounge, 5404 Raywood Road

The Waunona Neighborhood Association has been contacted by David Arms, the owner of the South Bay Lounge, regarding his proposal to serve food and drinks on the front porch/deck of his establishment. Mr. Arms has contacted his immediate neighbors and received their signatures supporting his proposal. The proposal to serve food and drinks on the front porch/deck of his establishment has been discussed with the association board members in attendance at the board meeting held on April 11, 2007. There is no opposition to his proposal.

The South Bay Lounge has been a good, responsible neighbor. The Waunona Neighborhood Association supports Mr. Arms in his proposal to serve food and drinks on the front porch/deck of his business.

Sincerely,

Phyllis Tschumper
Chairperson
Waunona Neighborhood Association