



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

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

Madison Municipal Building  
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Madison, Wisconsin 53701-2985  
TDD 608 266-4747  
FAX 608 266-8739  
PH 608 266-4635

July 27, 2010

Chris Thiel  
Thiel Studio  
828 South Brooks St.  
Madison, WI 53715

RE: Approval of a conditional use for an outdoor eating and an expanded Football Saturday beer garden in the C2 (General Commercial) District.

Dear Mr. Thiel:

The Plan Commission, meeting in regular session on July 26, 2010 determined that the ordinance standards could be met and **approved** your client's request for a conditional use at 2 South Mills Street and 1107 Regent Street. In order to receive final approval for the conditional use, the following conditions must be met:

**Please contact my office at 266-5974 with questions about the following item:**

1. Hours of operation for the seasonal outdoor eating area will be consistent with the indoor restaurant, closing no later than 9:00 pm Sunday through Thursday and 10:00 pm on Friday and Saturday.
2. The capacity for the Football Saturday beer garden shall be that approved by the Common Council following a recommendation by the Alcohol License Review Committee.
3. When operating the Football Saturday beer garden, the uniform operating conditions established for stadium-area bars remain in effect for this establishment, per the attached letter, dated June 1, 1998. All procedures, including opening and closing times shall be consistent with standards established in that letter. These rules supersede other conditional use approvals on the days of UW home football games and concert events as allowed per the Uniform Operating Conditions letter. During these events the parking area can be utilized for a beer garden, per the approved site plan.

**Please contact Janet Dailey, City Engineering, at 261-9688 with questions about the following six (6) items:**

4. In accordance with 10.34 MGO – STREET NUMBERS: Submit a PDF of both the first and second floor plans, showing all exterior entrance doors and stairwells, to Engineering Mapping Lori Zenchenko ([addressing@cityofmadison.com](mailto:addressing@cityofmadison.com)) so that a final interior addressing plan can be developed for this site. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
5. It is suggested that the owner contact the City Assessor's Office (Maureen Richards 266-4845 or [MRichards@cityofmadison.com](mailto:MRichards@cityofmadison.com)) to discuss combining parcels 0709-224-0101-6 and 0709-224-0102-4.
6. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas

- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) All Underlying Lot lines or parcel lines if unplatted
- g) Lot numbers or the words "unplatted"
- h) Lot/Plat dimensions
- i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

**NOTE:** Email file transmissions preferred [addressing@cityofmadison.com](mailto:addressing@cityofmadison.com) . Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

- 7. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 8. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 9. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

**Please contact John Leach, Traffic Engineering, at 267-8755 with questions about the following four (4) items:**

- 10. When the applicant submits final plans of contiguous plan 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, 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 (2) feet overhang, and a scaled drawing at 1" = 20'.
- 11. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
- 12. The applicant shall prevent encroachment onto adjacent land areas and sidewalk by barriers of some type, which shall be noted on the face of the revised plans.
- 13. 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 Pat Anderson, Zoning, at 266-5978 with questions about the following seven (7) items:**

- 14. Parking requirements for persons with disabilities must comply with MGO Section 28.11(3)6(m), which includes all applicable State accessible requirements, including but not limited to:
  - a) Provide a minimum of six accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
  - b) Show signage at the head of the stalls.
  - c) Show the accessible path from the stalls to the building.
- 15. FENCE ENCLOSURE, SECURITY GUARDS, LITTER CONTROL, AND PORTABLE TOILETS. If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee has established conditions for operation for these applications that involve fencing, security guards, toilet facilities, litter, etc. All businesses that sell alcohol must comply with the requirements imposed by the Alcohol License Review Committee at the time of issuance of your original application to expand or change your licensed premises to include the outdoor eating area.

16. Meet applicable building/fire codes for the additional outdoor capacity and for ingress and egress of the establishment with the areas and uses for the site. Occupancy is established by the Building Inspection Unit. Contact Alan Harper at 266-4558 to help facilitate this process. The submitted plans do not indicate that an increased capacity is being requested (except for Badger Football Saturday beer garden) so no additional parking will be required.
17. The submitted documents include signage, which is not being reviewed at this time. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31. 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 part of this approval.
18. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 foot candles. The maximum light trespass shall be 0.5 fc at 10 ft from the adjacent lot lint (see City of Madison lighting ordinance).
19. No portion of the site plan may change without Plan Commission approval, however, 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 standards in MGO Section 28.12(11)(g).
20. Bike parking shall comply with MGO Section 28.11. Provide at least four (4) bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving.  
**Note:** a bike-parking stall is two feet by six feet with a five-foot access area. Provide bike rack detail.

**Please Contact Bill Sullivan, Madison Fire Department, at 261-9658 with questions about the following eight (8) items**

21. When operating under the Football Saturday Beer Garden Plan, capacity shall be maintained and monitored by having one patron entrance for counting patrons in, and another location for patrons leaving the site being counted out. The "entrance" at the neighbor's driveway shall be an emergency exit only.
22. Owner shall be responsible for obtaining permission to use adjacent property for emergency egress and ensure the minimum exit width is maintained out to the public way.
23. The property owner is responsible for compliance with the International Fire Code (IFC).
24. The property owner is responsible to incorporate the outdoor beer garden into the existing fire safety and maintain it in accordance with the IFC.
25. Staff must be trained and capable of effectively and efficiently evacuating the area in an emergency.
26. Exit and exit width shall be maintained at all times.
27. Outdoor area must be operated and maintained in accordance with approvals.
28. Capacities of indoor and outdoor areas shall not exceed the approved limits.

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

1. Please revise your plans per the above and submit **eight (8) copies** of a complete plan set to the Zoning Administrator for final staff review and comment.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting the demolition permit and conditional use permit.
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.

If you have any questions regarding obtaining your conditional use permit, please contact the Zoning Administrator at 266-4551. If I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

cc: Pat Anderson, Assistant Zoning Administrator  
Janet Dailey, City Engineering  
Scott Strassburg, Fire Department

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

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*Signature of Applicant*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input checked="" type="checkbox"/>	Engineering Mapping
<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"/>	Recycling Coordinator (R & R)