



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
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January 7, 2009

Patrick Hannon
Schrieber Anderson Associates
717 John Nolen Drive
Madison, Wisconsin 53713

RE: Approval to rezone the property at 2425 Atwood Avenue from R4 (General Residence) to C2 (General Commercial) to allow for the use as a restaurant with one residential unit on the second floor.

Dear Mr. Hannon:

At its January 6, 2009 meeting, the Common Council **approved** the rezoning of your client's property at 2425 Atwood Avenue from R4 to C2 subject to the following conditions of approval from reviewing agencies:

Please contact my office at 266-5974 if you have questions about the following four items:

1. Prior to final approval, the applicant must continue to work with staff from City Forestry to reach agreement regarding the proposed relocation of the street tree as proposed.
2. That approval be granted based on the assumption that the restaurant maintains a capacity for 80 total guests. Any desire for increased capacity in the future may require a conditional use permit if it necessitates a reduction of 20 or greater required off-street parking stalls, as specified in MGO 28.11(2)(c).
3. Final Plans submitted for approval by Planning Division staff will include a detailed landscape plan indicating the location of plantings by species and size.
4. That a shared parking agreement be executed between Bunky's and St. Bernard's Congregation and reviewed by Planning Division staff prior to final approval.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following five (5) items:

5. The applicant shall dedicate a two-foot wide permanent limited easement for sidewalk along Atwood Avenue and relocate the existing sidewalk in accordance with plans prepared by the City Engineer. The existing terrace has a tree surrounded by a tree grate and the tree grate measures approximately 4 feet by 4 feet. Approximately one half of the tree grate is located in the main line sidewalk because the terrace is extremely narrow. These tree grates are problematic because they are small and the roots to the trees heave the tree grates causing a trip hazard in the main line sidewalk. The two-foot easement allows the sidewalk to be relocated away from the tree and the tree grate to be removed. **NOTE:** The owner/applicant shall decide whether the required sidewalk easement is to be conveyed to the City of Madison by the recording of a Certified Survey Map or by separate recorded easement conveyance document administered by the City of Madison Office of Real Estate Services.
6. A street excavation permit is required for the construction of the driveway to be included with the required sidewalk work.

7. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
8. All work in the public right-of-way shall be performed by a City licensed contractor.
9. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree-planting plan (in PDF format) to Dean Kahl, of the City Parks Department – dkahl@cityofmadison.com or 266-4816.

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

10. 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), dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
11. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
12. The City Traffic Engineer may require public signing and marking related to the development, for which the developer shall be financially responsible.

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions about the following nine (9) items:

13. Meet applicable state building codes, including but not limited to, requirements for restaurant capacity.
14. On the final plan sets, please label 2nd floor rooms.
15. The proposed 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.
16. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of one (1) van accessible stall striped per State requirements. Stalls shall be 8' wide with an 8' striped out area on the passenger's side.
 - b. Show signage at the head of the stalls.
 - c. Show the accessible path from the stalls to the building
17. The site shares a zoning district boundary with a residential development to the west and south. This development must provide effective 6' – 8' high screening along the lot line of this commercial district adjoining a residential zoning district. On final plan sets, provide detail of proposed fence.
18. 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 .08 watts per square foot.
19. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

- 20. Obtain a Certificate of Occupancy for the building conversion, once approved (Occupancy of the dwelling unit is restricted to the maximum allowed per the City’s family definition, Chapter 28 of the Madison General Ordinances.)
- 21. The submitted plans reflect that the proposal is 18 parking spaces deficient of the required number of spaces for the proposed restaurant and single family dwelling unit. Please submit a parking stall reduction request application, to be approved by the Director of Planning and Community and Economic Development, upon recommendation from the Parking Utility Manager and Traffic Engineer.

Note: This approval does not include any approval to prune, remove, or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. Park fees to be determined will be required as part of the required land division.

After the plans have been changed per the above conditions, please file **five (5) sets** of the revised, complete site plans 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 signature of final approval. **Building permits will not be issued until this process has been completed.**

If you have any questions regarding final approval of this plan or obtaining permits, please call Pat Anderson, Assistant Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 266-5974.

Sincerely,

Heather Stouder
 Planner

cc: Janet Dailey, City Engineering
 Pat Anderson, Zoning
 John Leach, Traffic Engineering

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

Signature of Applicant

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