



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

October 2, 2007

Beth Fatsis
Cleveland's Diner, Inc.
1215 E. Johnson Street
Madison, WI 53703

RE: Approval of a conditional use to create an outdoor eating area for a restaurant at 408 and 410 E. Wilson Street.

Dear Ms. Fatsis:

The Plan Commission, meeting in regular session on October 1, 2007, determined that the ordinance standards could be met and **approved** your conditional use request for an outdoor eating area for a restaurant at 408 and 410 E. Wilson Street, subject to the conditions below. In order to receive final approval of your 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. Submittal of scaled plan with topographic features required if CAD file submittal is not available. Contact Engineering Program Specialist Lori Zenchenko lzenchenko@cityofmadison.com or 266-5952.
2. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. Please include the site address in this transmittal. The file submittal shall be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.

Please contact Matt Tucker, the Zoning Administrator, at 266-4551 if you have questions regarding the following five (5) items:

3. The rear portion of the site shares a zoning district boundary with a residential development to the west and north. This property must provide effective 6' – 8' high screening along the lot line where this commercial district abuts a residential district.
4. Contact the City Clerk regarding the "change of license premise" to your liquor license.
5. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards.
6. The property is identified as adjacent to a City landmark. Obtain approval from the Landmarks Commission for exterior alterations for a property that is adjacent to a Landmark property.

7. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item:

8. Per the International Fire Code Chapter 10 and MGO Section 34:
 - a.) 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.) 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; and
 - d.) Submit a seating plan for the proposed deck, patio or fenced in area space.

Please contact my office at 267-1150 if you have questions about the following conditions.

9. That the outdoor eating area be closed at 10 pm, nightly.
10. That no amplified sound be permitted in the outdoor eating area.
11. That the owners work with City staff on the facade remodeling, with details to be approved by the Planning Division staff.

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

1. Please revise your plans per the above and submit *five (5) 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 the conditional use approval, 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

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

Signature of Applicant

cc: Matt Tucker, Zoning Administrator
Janet Dailey, City Engineer's Office
Scott Strassburg, Madison Fire Department

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (Firchow)	<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 type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: