



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

May 11, 2010

Shari Olson
3918 Monona Dr.
Madison, WI 53716

RE: Approval of a conditional use for an outdoor eating area in the C2 (General Commercial) District.

Dear Ms. Olson:

The Plan Commission, meeting in regular session on May 10, 2010 determined that the ordinance standards could be met and **approved** your request for a conditional use at 3918 Monona Drive. 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 two (2) items:

1. Final plans submitted for staff approval shall include an interim condition (to be implemented prior to Monona Drive Reconstruction) and a *final* condition (to be implemented following the completion of the Monona Drive reconstruction). The interim site plan shall include a temporary, decorative barrier between the public sidewalk and the proposed eating area.
2. The outdoor eating area will maintain the same hours of operation as the business, and may be used for eating and drinking space only.

Please contact Janet Dailey, City Engineering, at 261-9688 with questions about the following three (3) items:

3. Due to the scheduled Monona Drive reconstruction, the owner/applicants shall delay or minimize any significant permanent improvements for the outdoor seating on this site until this reconstruction work is completed.
4. Monona Drive will be reconstructed in 2012. The City of Madison will be purchasing additional right-of-way for the project. The applicant shall revise the site plan to show the proposed right-of-way on Monona Drive.
5. 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 . 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. (POLICY and MGO 37.09(2) & 37.05(4))

Please contact John Leach, Traffic Engineering, at 267-8755 with questions about the following five (5) items:

- 6. The applicant will need to modify site plans to accommodate Monona Drive reconstruction. The applicant will need to contact City Engineering to get proposed Monona Drive proposed right-of-way relocation. When the applicant submits site plans for approval of improvements, it should accommodate Monona Drive improvements.
- 7. When the applicant submits final plans of one 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, adjacent driveway approaches to lots on either side, 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'.
- 8. The applicant shall prevent encroachment onto public sidewalk except at the approaches/walkways by barriers of some type, which shall be noted on the face of the revised plans.
- 9. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
- 10. 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 eight (8) items:

- 11. 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 two 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. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c) Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
- 12. Bike parking shall comply with MGO Section 28.11. Provide minimum of 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. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Provide a detailed drawing of bike stalls.

13. 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.
14. Signage approvals are not granted but the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Code, and MGO Chapter 33, Urban Design District 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 part of this approval.
15. 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 footcandles. The maximum light trespass shall be 0.5 fc at 10 ft from the adjacent lot line (see City of Madison lighting ordinance).
16. 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 Plan Commission and the standards in MGO 28.12(11)(g).
17. City records do not include a Certificate of Occupancy for the salon at 3920 Monona Drive. A Certificate of Occupancy is required for this use. Please contact the Zoning Office to discuss and resolve this matter.
18. Monona Drive is planned for reconstruction in the next few years, which will likely result in property frontage being acquired for right-of-way purposes. The submitted landscape plan shows a tree to be placed where right-of-way will likely be acquired. This tree should be relocated to another place on site. The site/landscaping plans must be revised at the time the Monona Drive reconstruction plans are finalized.

Please Contact Scott Strassburg, Madison Fire Department, at 261-9843 with questions about the following item:

19. If a fence or deck is provided, the applicant shall comply with the following, per the International Fire Code (IFC) Chapter 10 and MGO 34
 - a) Applicant shall submit approved capacity with the site plan and post the capacity of the outside dining area in accordance with IFC 2009 edition.
 - b) Proposed deck, patio, or fenced in area shall not be located at, adjacent to, 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 IFC 2009 edition.
 - d) Submit a site plan showing any/all seating, bar, tent, dumpster, structures and fixtures for the proposed deck, patio, or fenced in area.

Please contact Dennis Cawley, Water Utility, at 261-9243 with questions about the following item:

20. This property is not in a Wellhead Protection District. All wells on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

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 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

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

Signature of Applicant

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

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 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"/>	Other:
<input checked="" type="checkbox"/>	Engineering Mapping	<input type="checkbox"/>	Other: