



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

215 Martin Luther King Jr. Boulevard

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October 15, 2019

Brad Koning  
Sketchworks Architecture, LLC  
7780 Elmwood Avenue, Suite 208  
Middleton, WI 53562

RE: Legistar #57317; Accela ID: 'LNDUSE-2019-00098' -- Approval of a conditional use to establish a restaurant-tavern and outdoor eating area in an existing multi-tenant commercial building on a property zoned NMX (Neighborhood Mixed Use) at 4102 Monona Drive.

Dear Mr. Koning:

At its October 14, 2019 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to establish a restaurant-tavern and outdoor eating area in the Neighborhood Mixed-Use (NMX) Zoning District at 4102 Monona Drive, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

**Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following three (3) items:**

1. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
2. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
3. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with

disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

**Please contact Jenny Kirchgatter, the Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following eight (8) items:**

4. Site plans have recently been approved for Lake Edge Shopping Center tenants Tabby and Jacks at 4116 Monona Dr and Lake Edge Sea Food at 4100 Monona Dr. The proposed site plan shall include elements of previously approved plans, including bicycle parking locations and trash enclosures. Site compliance will include compliance with previously approved plans.
5. Work with Zoning staff to verify the existing tenant uses and vehicle parking requirements for the Lake Edge Shopping Center. Minimum requirements for off-street automobile parking are applicable for the existing tenants of the Lake Edge Shopping Center, as well as the proposed restaurant-tavern. The number of existing vehicle parking stalls appears to be adequate based on an initial review of the tenant uses and vehicle parking requirements.
6. Provide an updated vehicle and bicycle parking summary for Lake Edge Shopping Center, including the number of vehicle stalls located in the north parking lot and south parking lot, number of accessible stall, and number of bicycle stalls.
7. Provide one (1) additional accessible stall for a total of five (5) accessible stalls. If the total number of vehicle stalls is between 101 and 150 stalls, then five (5) accessible stalls are required. Show the dimensions of the accessible stalls on the site plan. An accessible stall is a minimum of 8 feet wide with a 5 feet wide access aisle. A van accessible stall is a minimum of 8 feet wide with an 8 foot wide striped access aisle. Show the required signage at the head of the stalls.
8. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum number of short-term bicycle parking stalls equal to five percent (5%) of capacity of persons (8 stalls) for the proposed restaurant-tavern located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
9. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4559 to help facilitate this process.
10. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
11. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact my office at (608) 243-0554 if you have any questions regarding the following two (2) items:**

12. No outdoor amplified sound (from music, televisions, etc.) or live musical performance shall be allowed in the outdoor eating area.
13. The outdoor eating area shall close at 10:00 p.m. Sunday through Thursday and at 11:00 p.m. on Friday and Saturday. The Director of the Planning Division may consider a minor alteration to the conditional use in the future to further modify the hours of operation for the outdoor eating area following a recommendation by the District Alder.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

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

1. Please revise your plans per the above conditions and submit **six (6) copies** of a complete, fully dimensioned and scaled 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. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, 215 Martin Luther King Jr. Boulevard. **This submittal shall all also include one complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. 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 conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at (608) 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 (608) 243-0554.

Sincerely,



Sydney Prusak  
Planner

cc: Brenda Stanley, Engineering  
Jeffery Quamme, Engineering Mapping  
Sean Malloy, Traffic Engineering  
Jenny Kirchgatter, Zoning  
Bill Sullivan, Fire Department

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

| For Official Use Only, Re: Final Plan Routing |                        |                                     |                          |
|-----------------------------------------------|------------------------|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/>           | Planning Div. (Prusak) | <input checked="" type="checkbox"/> | Engineering Mapping Sec. |
| <input checked="" type="checkbox"/>           | Zoning Administrator   | <input type="checkbox"/>            | Parks Division           |
| <input checked="" type="checkbox"/>           | City Engineering       | <input type="checkbox"/>            | Urban Design Commission  |
| <input checked="" type="checkbox"/>           | Traffic Engineering    | <input type="checkbox"/>            | Recycling Coord. (R&R)   |
| <input checked="" type="checkbox"/>           | Fire Department        | <input type="checkbox"/>            | Metro Transit            |
| <input type="checkbox"/>                      | Water Utility          |                                     |                          |