



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

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

Madison Municipal Building  
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FAX 608 267-8739  
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August 19, 2008

Bob Rowe  
The Redmond Company  
W228 N745 Westmound Drive  
Waukesha, Wisconsin 53186

RE: Approval of a conditional use for an outdoor seating area to serve two restaurants located at 4718 East Towne Boulevard.

Dear Mr. Rowe:

The Plan Commission meeting in regular session on August 18, 2008 determined that the ordinance standards could be met and **approved** your request for a conditional use permit for an outdoor eating area at 4718 East Towne Boulevard, subject to the conditions below. In order to receive final zoning approval of the conditional use, the following conditions shall be met:

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following six items:**

1. The applicant shall enlarge the sidewalk area along the outdoor eating area to a minimum of 6 feet between the parking area and outdoor eating area fence.
2. The applicant shall install bicycle racks so that the bicycle parking spaces do not encroach onto the 6-foot sidewalk to the entrance of both businesses. The applicant shall indicate the type of bicycle racks to be installed.
3. 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), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, and a scaled drawing at 1" = 20'.
4. A "Stop" sign shall be installed at a height of 7 feet at all driveway approaches. 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.
5. The applicant shall show the dimensions for existing parking stalls' items B, C, D, E, and F, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the 2 feet of vehicle overhang. The 2 feet of vehicle overhang shall be shown on the plan and dimensioned.
6. 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 Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following two items:**

7. The approved addresses for this site are: Qdoba Mexican Grill is 4718 East Towne Blvd.; BD Mongolian Grill is 4722 East Towne Blvd.
8. Applicant shall have an ownership/maintenance agreement (recorded) for the sanitary lateral which will be serving two separate restaurants.

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

9. Per the IFC 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.
  - d.) Submit a seating plan for the proposed deck, patio or fenced in area space.

**Please contact Pat Anderson, Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following five items:**

10. Meet all applicable State accessible requirements, including but not limited to:
  - a.) Provide a minimum of 2 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. The rest of the accessible stalls shall have a 5' striped out area adjacent.
  - b.) Show signage at the head of the stalls. Accessible signs shall be a minimum of 60-inches 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.
11. Provide 13 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. 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.
12. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
13. The Plan Commission does not grant signage approvals. The Zoning Section of the Department of Planning and Community and Economic Development issues signage permits. Signage must be reviewed for

compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances.

- 14. 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.

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

- 1. Please revise your plans per the above and submit *seven (7) copies* of a complete plan set to the Zoning Administrator for final review and comment prior to the commencement of construction. 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 prior to the commencement of construction.
- 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 conditional use permit.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

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

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*Signature of Applicant*

- cc: Pat Anderson, Assistant Zoning Administrator  
John Leach, Traffic Engineering  
Scott Strassburg, Madison Fire Dept.  
Janet Dailey, Engineering Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (T. Parks)	<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: