



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

August 27, 2021

Christopher Guglielmo
It's Good For You, LLC
413 New Castle Way
Madison, Wisconsin 53704

RE: Consideration of a conditional use in the Commercial Corridor-Transitional (CC-T) District for an outdoor cooking operation located within 200 feet from the property line of a lot with a residential use; and consideration of a conditional use in the CC-T District for outdoor eating areas for a restaurant-tavern, to allow an existing commercial building at 521 N Sherman Avenue to be converted into a restaurant-tavern with an outdoor oven and two outdoor eating areas. (LNDUSE-2021-00071; ID 66552)

Dear Christopher;

On August 23, 2021, the Plan Commission found the standards met and **approved** your conditional use requests for 521 N Sherman Avenue. Prior to issuance of building or occupancy permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following four (4) items:

1. Add text to the Shared Access Drive that it is subject to Document No 3192538.
2. Record the purchase deed that transfers ownership to the applicant.
3. Identify on the plans the lot and block numbers of recorded Certified Survey Map(s) or Plat(s).
4. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following two (2) items:

5. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, pre-formed wheel stops, guardrail erected at a height of eighteen (18) inches, or fencing of sufficient strength to act as a vehicle bumper.
6. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4450 if you have any questions regarding the following two (2) items:

7. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 4 short-term bicycle parking stalls 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 100 feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5)-foot wide access area. Provide a detail of the proposed bike rack.
8. Lighting is not required. However, if it is provided, it shall comply with MGO Section 10.085, outdoor lighting standards.

Please contact my office at 261-9632 if you have questions about the following (9) items:

9. That the hours of operation for the outdoor eating areas shall be until 9:00 p.m. daily, after which time the outdoor eating areas shall be closed, with no service or seating in either area after 9:00 p.m. Patrons may not utilize the outdoor areas after 9:00 p.m. for smoking or otherwise. In the future, the Director of the Planning Division may consider a minor alteration to the conditional use to further modify the hours of operation for the outdoor eating areas following a recommendation by the district alder.
10. That any doors to the outdoor areas remain closed [not be propped open] at all times.
11. Outdoor amplified sound, including from televisions, ambient music, or musical performance, is prohibited in the outdoor eating areas.
12. Screening shall be provided along rear and side property boundaries between commercial/ mixed-use districts and residential districts. In this case, screening is required along the southern side property line adjacent to the TR-C4-zoned parcels to the south. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height.
13. Details of the patio enclosures shall be provided to the Planning Division for final approval prior to occupancy of the outdoor eating areas, including the materials to be used.
14. The applicant shall provide the hours during which the outdoor oven will operate and provide details of the oven and its enclosure prior to final approval and issuance of permits for the project or use of the oven for food production.
15. The capacity shall be established for the outdoor eating area. Occupancy is established by the Building Inspection Division. Contact Building Inspection staff at 266-4559 to help facilitate this process.
16. The applicant shall provide a legible, fully labeled and dimensioned site plan that includes the number of tables and chairs in each area, the location and dimensions of any trash enclosure, and the number of auto and bike parking stalls to serve the business. Once the capacities have been set for the outdoor dining areas, those capacities shall be noted on the final plans. Details of the trash enclosure shall be provided for final approval.

17. The final site plan shall be revised to provide the lot coverage proposed; per the CC-T district, lot coverage shall not exceed 85%.

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 permits for your project:

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to Zoning@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. 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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve 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 conditional use standards. This approval shall become null and void one (1) 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 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to 24 months from the expiration date. 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 building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632 or tparks@cityofmadison.com.

Sincerely,

Timothy M Parks

Timothy M. Parks
 Planner

cc: Brenda Stanley, City Engineering Division
 Jeff Quamme, City Engineering Division
 Sean Malloy, Traffic Engineering Division
 Jacob Moskowitz, Asst. Zoning Administrator

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

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

LNDUSE-2021-00071			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: