



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

May 10, 2019

Jeff Davis & Sam Kahle
Angus Young Associates
16 N. Carroll Street, #610
Madison, Wisconsin 53703

RE: Approval of a conditional use in the Neighborhood Mixed-Use (NMX) District for a restaurant-tavern; consideration of a conditional use for outdoor recreation in the NMX District; and consideration of a conditional use in the NMX District for an outdoor eating area, all to allow construction of an addition to an existing restaurant-tavern with outdoor recreation and eating at 301 North Street (Dexter's Pub) (LNDUSE-2019-00019; ID 55022).

Gentlemen;

At its May 6, 2019 meeting, the Plan Commission found the standards met and **approved** your conditional use requests for 301 North Street. The conditions of approval in the following sections shall be satisfied prior to issuance of building or occupancy permits for the project.

Please contact Brenda Stanley of the City Engineering Division at 261-9127 if you have questions regarding the following six (6) items:

1. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0-tons per acre per year.
2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
3. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street

names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). All other levels (contours, elevations, etc.) are not to be included with this file submittal. E-mail CAD file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

4. For commercial sites less than one (1) acre in disturbance, the City of Madison is an approved agent of the Department of Commerce and Wisconsin Department of Natural Resources (WDNR). As this project is on a site with disturbance area less than one acre and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
5. Complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of Madison General Ordinances.
6. The applicant's project requires the minor restoration of the street and sidewalk. The applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.

Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following ten (10) items:

7. The applicant shall submit one contiguous plan for approval showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing 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.
8. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
9. The City Traffic Engineer may require public signing and marking related to the development; the developer shall be financially responsible for such signing and marking.
10. All parking facility design shall conform to the standards in MGO Section 10.08(6).

11. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
12. "Stop" signs shall be installed at a height of seven (7) feet 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.
13. Dimensions of the driveways shall be noted on the plan including the width of driveway and width of driveway flares or curb cut.
14. The applicant shall modify the width of the southern driveway to match the proposed drive aisle.
15. Secure parking facility. This is usually done with continuous six (6)-inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.
16. All sidewalks next to buildings shall be minimum six (6) feet in width.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at 266-4560 if you have any questions regarding the following five (5) items:

17. A vehicle and bicycle parking reduction will be required per Section 28.141(5). Submit a request for a parking reduction request to the Zoning Administrator with the final plan submittal including information to support the argument for reducing the required number of spaces.
18. The proposed attached pergola appears to be located within the required 20-foot rear yard setback. The pergola will need to be modified to be outside of this required setback.
19. Submit an updated landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
20. 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.
21. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:

22. The Madison Fire Department does not object to the proposed project provided it complies with all applicable building and fire codes. A fire sprinkler system shall be installed and a fire alarm system may be required if the occupant load exceeds 300 people.
23. Plans appear to indicate an emergency exit from the lawn area out to Parcel B. Ensure proper cross-access easements are in place to accommodate any necessary egress and/or fire access requirements.

Please contact Brad Hofmann of the Parks Division–Forestry Section at 267-4908 if you have any questions regarding the following two (2) items:

24. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
25. Existing street trees shall be protected. Please include the following note on the site plan: “Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*. Any tree removals that are required for construction after the development plan is approved will require at least a 72-hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.”

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following three (3) items:

26. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two (2) working days’ notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility’s Plumbers a Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E. Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. A Water Meter Application Form will subsequently be required to size and obtain a water meter, establish a Water Utility customer account, and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at 266-4646.
27. Revise the Utility Plan to show existing water mains, services, valves and hydrants. Also, specify proposed size and material of proposed water service lateral.

28. The Madison Water Utility shall be notified to remove the existing water meter in conjunction with the Water Utility Meter Application submittal. Contact the Water Utility Meter Department at 266-4765 to schedule the meter removal appointment.

Please contact Tim Sobota of Madison Transit at 261-4289 if you have any questions regarding the following item:

29. In coordination with any public works improvements, the applicant shall maintain or replace the concrete terrace at the existing Metro bus stop on the east side of North Street, north of E. Johnson Street (#1635). The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

Please contact my office at 261-9632 if you have any questions regarding the following three (3) items:

30. No outdoor amplified sound (from music, televisions, etc.) or live musical performance shall be allowed in the outdoor eating or recreation areas.

31. The outdoor eating and outdoor recreation areas shall close at 10:00 p.m., seven days a week. The doors on the northern wall of the addition shall also be closed at this time. 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 areas following a recommendation by the district alder.

32. The final zoning plans shall include a complete and accurate accounting of the floor area of the building, including any finished and unfinished space in the basement, and shall include the projected capacity of the interior areas as well as the outdoor eating area (subject to approval by the Director of the Building Inspection Division and Fire Marshal).

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. After the plans have been revised per the above conditions, please file **eight (8) sets** of complete, fully dimensioned, and to-scale plans, 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, Room 017, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. **This submittal shall all also include one (1) complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. 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]
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. 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 two (2) years 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 (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 twelve (12) 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 may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

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
 Bill Sullivan, Madison Fire Department
 Adam Wiederhoeft, Madison Water Utility
 Brad Hofmann, Forestry Section

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.</p> <hr/> <p><i>Signature of Applicant</i></p> <hr/> <p><i>Signature of Property Owner (If Not Applicant)</i></p>
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LNDUSE-2019-00019			
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 (EP)	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Forestry
<input checked="" type="checkbox"/>	Water Utility (EP)	<input checked="" type="checkbox"/>	Other: Metro Transit