



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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June 20, 2017

Steve Shulfer
Shulfer Architects, LLC.
7780 Elmwood Avenue
Middleton, WI 53562

RE: Legistar #47307; Accela 'LNDUSE-2017-00047' -- Approval of a conditional use request to establish an outdoor eating area for a restaurant-tavern at **744 Williamson Street**.

Dear Mr. Shulfer:

At its June 19, 2017 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your client's conditional use request to establish an outdoor eating area for a restaurant-tavern at **744 Williamson Street**, 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 Jeff Quamme of the City Engineering Division--Mapping Section at 266-4097 if you have any questions regarding the following two (2) items:

1. The site plan indicates "Approximate Property Line". The final site plan shall show a correct and accurate property line as located by a professional land surveyor, particularly considering the proximity of the proposed improvements to the property line
2. The site plan shall show the 22' x 64' Common Access Easement No. 3 used for parking lot access per Document No. 2876944 over the adjacent property at 754 Williamson Street.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following three (3) items:

3. The parking stalls south of the patio addition have previously been approved at MGO compliant 9 feet by 18 feet. The applicant shall work with Traffic Engineering to see if the stalls were installed incorrectly or if they are in fact 9 feet wide and simply mislabeled. If the stalls are substandard the applicant shall work to bring the stalls into compliance with MGO 10.08.

4. 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.
5. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Please contact Jenny Kirchgatter of the Zoning Division at 266-4429 if you have any questions regarding the following seven (7) items:

6. Submit a complete site plan showing the entire property including the parking lot, accessible parking, bicycle parking and landscaped areas.
7. Show the setback distance of the covered patio structure measured to the northeast side property line.
8. Vehicle parking is required at a minimum number of 15% of capacity of persons. Provide the capacity information for the existing restaurant-tavern and proposed outdoor eating area to establish the minimum parking requirement.
9. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide short-term bicycle parking at a minimum number of 5% of capacity of persons. Short-term bicycle parking stalls shall be located in a convenient and visible area on a paved or impervious surface 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.
10. Show the refuse disposal area on the site plan. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building.
11. The capacity of the outdoor eating area shall be established. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4559 to help facilitate this process.
12. 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.

Please contact Bill Sullivan of the Fire Department at 261-9658 if you have any questions regarding the following item:

13. The existing patio structure is located in close proximity to the existing property line. The owner shall provide the code required fire resistance construction per the IBC, obtain a permanent no-build easement from the adjacent owner, or pursue a Petition for Variance from the building codes.

Please contact my office at 261-9135, if you have questions regarding the following three (3) items:

14. The hours of operation for the outdoor eating area shall be Monday - Wednesday, 4:30 pm - 9:00 pm; Thursday and Friday, 4:30 pm - 10:00 pm; Saturday, 9:00 am - 2:00 pm and 4:30 pm - 10:00 pm; and Saturday, 9:00 am - 2:00 pm and 4:30 pm - 9:00 pm. Future modifications to the hours of operation of the outdoor eating area may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.
15. There shall be no amplified sound, including, but not limited to television, ambient music or musical performances, in the outdoor eating area. Future modifications related to the permission to play ambient music in the outdoor eating area may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.
16. The final capacity for the outdoor seating area shall be approved by City Building Inspection.

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, 126 S. Hamilton Street. 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 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 261-9135.

Sincerely,



Chris Wells
Planner

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)

cc: Jeff Quamme, Engineering Mapping
Eric Halvorson, Traffic Engineering
Jenny Kirchgatter, Zoning
Bill Sullivan, Fire Department
John Sapp, City Engineering

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input 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"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other: