



Department of Planning & Development  
**Planning Unit**

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

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October 25, 2005

Dale Beck  
1810 Roth Street  
Madison, WI 53704

SUBJECT: 3737 East Washington Avenue

Dear Mr. Beck:

The Plan Commission, at its October 24, 2005 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for an outdoor eating area for a tavern and restaurant located at 3737 East Washington Avenue.

In order to receive final approval of your proposal, the following conditions must be met:

**Please contact John Leach in the Office of the City Traffic Engineer if you have questions regarding the following eight items:**

1. 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), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
2. The applicant shall provide one contiguous plan as noted on the proposed site plan, "Traffic lane to 80 additional parking stalls and access to Mendota Street." The applicant shall show all the facility's ingress/egress, crossing and parking easements as proposed, existing and proposed buildings, dimension all existing and proposed layouts of all parking lots, loading areas, trees, signs, easements and approaches. The applicant shall submit for approved plan site plan for 3737, 3757, 3769 and 3773 East Washington Avenue in accordance to MGO.
3. The applicant shall provide recorded copies of the joint driveway ingress/egress, parking and crossing easements between 3737, 3757, 3769 and 3773 East Washington Avenue with site plans for approval or the applicant shall prevent encroachment onto adjacent land areas by barriers of some type, which shall be noted on the face of the revised plans.
4. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime".
5. "Stop" and "Right Turn Only" signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approach to East Washington Avenue, and a "Stop" sign shall be installed at a

height of seven (7) feet at the Mendota Street 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.

6. The applicant shall show the dimensions for proposed and existing parking stalls' items A, B, C, D, E, and F, and for ninety-degree angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b)2.
7. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.
8. 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 Kathy Voeck, Assistant Zoning Administrator, if you have questions regarding the following four items:**

9. The site plan shall be consistent with the landscape plan. The final approved site plan shall be consistent with the final site conditions. (Note: the shed at the southern property line shall be moved to another location on the site and shown on the final plan if it will remain on the site.) Plan Commission has continuing jurisdiction on compliance of the conditional use approval. Zoning has continuing jurisdiction on site conditions as approved on the final signed parking lot plans. Note: Traffic may require that stall number 44 be striped for no parking as a turn-around stall.
10. Provide detailed plans for the trash enclosure.
11. Provide 5 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: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
12. 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 feet and 20 feet 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.

**Please contact Peter Olson, City Planning at 266-4635 if you have questions regarding the following item:**

13. No amplified sound or music shall be allowed in the outdoor area.

**Please contact Scott Strassburg, Madison Fire Department, if you have questions regarding the following item:**

14. Per the IFC Chapter 10 and MGO 34:
  - a. Applicant shall post the capacity of the outside dining area in accordance with International Fire Code 2003 edition.

- b. Proposed deck shall not be located at, adjacent, or obstruct the required exits from the building.
- c. Provide and maintain exits from the deck in accordance with the International Fire Code 2003 edition.
- d. Submit a seating plan for the proposed deck space.

Approval of this proposal does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

Please follow the procedures listed below to receive your conditional use approval.

1. Please revise plans per the above conditions and submit six (6) sets of the final site plans (including drainage and landscaping plans) to the Zoning Administrator. The final plans are reviewed and approved by Traffic Engineering, Fire Department, Planning and Zoning. Any of these agencies may call you to request additional information or to resolve problems.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting cover sheet approval.
3. No alteration of this proposal shall be permitted unless approved by the City 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 Plan Commission approval unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the date of issuance of the building permit. See Section 28.12(11)(h)(3), Madison General Ordinances. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against this approved conditional use.

**IF YOU HAVE ANY QUESTIONS REGARDING OBTAINING YOUR BUILDING PERMIT OR OCCUPANCY PERMIT, PLEASE CALL KATHY VOECK OF THE CITY ZONING STAFF AT 266-4551.**

Sincerely,

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

**Peter Olson**  
 Planning & Development

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 Applicant

cc: Zoning Administrator  
 City Engineering  
 Traffic Engineering

Zoning Traffic Engineering Planning Fire Department
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