

April 20, 2005

Paul Fisher
Glueck Architects
116 N. Few Street
Madison, Wisconsin 53703

RE: Rezoning a 9,900 square-foot parcel located at 3826 Atwood Avenue from C1 (Limited Commercial District) to C2 (General Commercial District) and approval of a conditional use at to allow the addition of a drive-up window to an existing restaurant on this parcel and the parcel to the south.

Dear Mr. Fisher:

At its April 19, 2005 meeting, the Common Council **approved** your client's application for rezoning property located at 3826 Atwood Avenue. The Plan Commission **conditionally approved** the conditional use for the well facility on April 4, 2005 subject to the rezoning of the property. The conditions of approval for the project are as follows:

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following three items:

1. There is an existing problem with the sanitary sewer service to this facility. Prior to [final] approval of the conditional use, the applicant shall meet with the City Engineer to determine a plan to correct this problem. Said plan shall be incorporated into this conditional use approval and implemented by the owner. Please contact Mike Dailey at 266-4058 to discuss this matter.
2. A City licensed contractor shall perform all work in the right-of-way.
3. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). 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.

Please contact John Leach, Traffic Engineering, at (608) 267-8755 if you have questions about the following three items:

4. 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, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

5. The applicant shall provide to the Traffic Engineer for approval at the time of sign off a queuing model showing provision of adequate queue storage that prevents queue interference with other pedestrian or circular movements, based on the approved land use and number of windows.
6. All directional/ regulatory signage and pavement markings on the site shall be shown and noted on the plan as approved by the City Traffic Engineer.

Please contact Kathy Voeck, the Acting Zoning Administrator, at 266-4551 if you have questions regarding the following two items:

7. Meet applicable State building, accessibility and setback ordinances, including showing signage at the head of accessible stalls, providing two accessible parking stalls striped per State code requirements including one van-accessible stall, and the curb, wheel stops or ramp locations for the accessible path to the building.
8. Screen or landscape the parking lot. Continue to maintain the required six to eight-foot tall screening fence along the northerly and easterly property lines between the residential and commercial districts. If you choose to provide landscaping to satisfy the screening requirement, a landscape plan must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the required point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15 to 20 feet of the parking lot depending on the type of landscaping. Required trees do not count toward the landscape point total. (Note: Required trees do not count towards 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 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 my office at 261-9632 if you have questions about the following item:

9. That the existing deed restriction for Lot 6, Block 4, Olbrich Park Addition be amended prior to final approval of the conditional use to reflect the addition of the proposed drive-thru window serving the restaurant at 3826 Atwood Avenue, and that the language of the restriction be clarified to state that no additional buildings will be *constructed* on that lot. The City Attorney shall approve the deed restriction.

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

1. Please revise your plans per the above and submit *six (6) copies* of a complete 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.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
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 the building permit. [Sec. 28.12 (11)(h)(3)] The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining your building and/or occupancy permit, 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.

Signature of Applicant

cc: Kathy Voeck, Assistant Zoning Administrator
Gary Dallman, City Engineering
John Leach, Traffic Engineering

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input 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: