



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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October 8, 2015

Timothy Meseck
The Architects Partnership
122 S Michigan Ave
Ste 1810 Chicago, IL 60603

RE: Approval of a conditional use to construct a vehicle access sales and service window for a restaurant at **1791 Thierer Road**

Dear Mr. Meseck:

At its October 5, 2015 meeting, the Plan Commission, meeting in regular session, approved your client's conditional use request to construct a vehicle access sales and service window for a restaurant in Urban Design District 5 at 1791 Thierer Road. In order to receive final approval of the conditional use and for permits to be issued, the following conditions must be met.

Please contact Jeff Quamme, Engineering Division (Mapping) at 266-4097 if you have questions regarding the following item:

1. Parking stalls along the northwesterly side of this property partially encroach into the adjacent right of way of East Washington Avenue. City of Madison Real Estate Project No. 9739 was set up in 2011 to draft an encroachment agreement to permit these improvements within the right of way. Applicant shall coordinate with Jerry Lund of the City of Madison Real Estate Office to complete and record this agreement. Applicant shall provide a new map exhibit showing the current entire parking lot improvement locations along East Washington Avenue and the limits of the encroachment area and the legal description for use in the agreement.

Please contact Eric Halvorson, Traffic Engineering Division at 266-6527 if you have questions regarding the following four (4) items:

2. 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.

3. 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.
4. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
5. As of October 2nd Traffic Engineering will no longer be accepting paper plans; to ensure a timely review all submittals will include an electronic copy (.pdf preferred).

Please contact Matt Tucker, Zoning Administrator at 266-4569 if you have questions regarding the following four (4) items:

6. At its July 23rd 2015 meeting, the Madison Zoning Board of Appeals approved a variance to allow for a vehicle access sales and service window to be located between the building and the adjacent street.
7. See Sec. 28.151 for supplemental regulations for vehicle access sales and service windows.
8. The site change does not require the site be brought up to compliance for landscaping, however, a complete landscape plan and worksheet for the entire site shall be submitted with final plans. Landscaping placed within the right-of-way shall not be counted toward required landscaping. Any landscaping proposed to be placed in the right-of-way shall be approved by City Forestry.
9. Provide complaint bicycle parking for the tenant space, equivalent to 5% of the capacity of persons for the restaurant.

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

10. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

Please contact my office at 267-1150 if you have questions regarding the following item:

11. The applicant shall revise the landscape plan, per approval by Urban Design Commission secretary and Planning Division staff, to relocate plantings out of the right-of-way. In the alternative, the applicant may obtain necessary approvals for this encroachment, which shall be coordinated with Office of Real Estate Services.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission Secretary, who reviewed this request on behalf of the Urban Design Commission, prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

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

1. Please revise your plans per the above conditions and submit nine (9) 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, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. 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. The Water Utility will not need to sign off the final plans, and will not need a copy of the approved plans.
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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, 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 267-1150.

Sincerely,

Kevin Firchow, AICP
Planner

cc: Brenda Stanley, City Engineering Division
Bill Sullivan, Fire Department
Matt Tucker, Zoning Administrator
Eric Halvorson, Traffic Engineering Division

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<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 checked="" 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"/>	Other: