



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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December 10, 2019

WenXin Chen  
Tokyo Sushi & Poke LLC  
513 S Brooks Street  
Madison, WI 53715

RE: Legistar #57983; Accela ID: 'LNDUSE-2019-00112' -- Approval of a conditional use to establish an outdoor eating area for a restaurant-tavern on a property zoned TSS (Traditional Shopping Street) at 1133 Williamson Street.

Dear Mr. Chen:

At its December 9, 2019 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to establish an outdoor eating area in the TSS (Traditional Shopping Street) Zoning District at 1133 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 Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following two (2) items:**

1. 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.
2. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Please contact Jeffery Quamme of the Engineering Division-Mapping Section at (608) 266-4097 if you have any questions regarding the following three (3) items:**

3. This is a 2 story building. Clarify if the second floor part of the restaurant is for eating or for storage. Or, is it an apartment or an office? Clarify its use.

4. Submit a Floor Plan in PDF format to Lori Zenchenko (lzenchenko@cityofmadison.com) that includes a floor plan for each floor on a separate sheet for the development of a complete interior addressing plan. The Addressing Plan for the entire project shall be finalized and approved by Engineering (with consultation and consent from the Fire Marshal if needed) prior to the application submittal for the final Site Plan Approval with Zoning. The approved Addressing Plan shall be included in the final application.
5. For any changes pertaining to the location, deletion or addition of a unit, or to the location of a unit entrance, (before, during, or after construction), a revised Address Plan shall be resubmitted to Lori Zenchenko to review addresses that may need to be changed and/or reapproved. The final revised Addressing Plan shall be submitted by the applicant to Zoning to be attached to the final filed approved site plans.

**Please contact Jenny Kirchgatter, the Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following seven (7) items:**

6. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. If the existing site currently exceeds 85% maximum lot coverage, proposed site improvements may not further increase lot coverage above the maximum.
7. Bicycle parking for the restaurant-tavern and outdoor eating area shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of two (2) short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious surface. Bicycle parking shall be located 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.
8. If the owner desires to reduce the amount of required bicycle parking, the owner must obtain approval of a bicycle parking reduction from the Zoning Administrator. In order to obtain a bicycle parking reduction, the owner shall submit the Parking Adjustment application for a bicycle parking reduction with supporting information. Factors to be considered by the Zoning Administrator include but are not limited to: availability, proximity, and use characteristics of public bike parking in the public right of way within two hundred (200) feet of the subject property; existing or potential shared parking agreements; proximity to transit routes and/or multi-use paths; characteristics of the use, including hours of operation and peak parking demand times; design and maintenance of off-street bicycle parking, and whether the use is existing or is an addition to an existing use.
9. Vehicle parking is required for the restaurant-tavern at a minimum amount of 15% of capacity of persons (7 vehicle parking stalls). Three (3) parking stalls are provided. For non-residential uses, the applicant may reduce the parking requirement by the greater of (5) parking spaces or ten percent (10%) of the required parking. Submit a Parking Adjustment application form to document the reduction in vehicle parking.
10. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. 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. 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.
12. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

**Please contact my office at (608) 243-0554 if you have any questions regarding the following three (3) items:**

13. No outdoor amplified sound (from music, televisions, etc.) or live musical performance shall be allowed in the outdoor eating area.
14. The outdoor eating area shall close at 9:30 p.m. Sunday through Thursday and at 10:00 p.m. on Friday and Saturday. In the future, the Director of the Planning Division may consider a minor alteration to the conditional use, upon a favorable recommendation of the District Alder, as allowed in MGO §28.183(8) to further modify the hours of operation for the outdoor eating area.
15. Submit a final patio plan depicting the exact number of tables and chairs in keeping with the ALRC approval.

**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, 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.
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. A conditional use approval is valid for two (2) years 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. 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.
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 (608) 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 (608) 243-0554.

Sincerely,



Sydney Prusak  
 Planner

cc: Brenda Stanley, Engineering  
 Jeffery Quamme, Engineering Mapping  
 Sean Malloy, Traffic Engineering  
 Jenny Kirchgatter, Zoning  
 Bill Sullivan, Fire Department

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

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*Signature of Applicant*

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*Signature of Property Owner (if not the applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Prusak)	<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	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility		