



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266 4747
FAX 608 266-8739
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August 25, 2005

Randy Manning
PDQ Food Stores, Inc.
PO Box 620997
Middleton, Wisconsin 53562

RE: Approval of a demolition permit for a trucking terminal at 401 N. Third Street.

Dear Mr. Manning:

The Plan Commission, meeting in regular session on August 22, 2005, determined that the ordinance standards could be met and **approved** your request for a demolition permit to demolish a former truck terminal located at 401 N. Third Street, subject to the conditions below. The concurrent request to rezone the property from M1 to PUD-GDP-SIP to allow development of a PDQ gas station/ convenience store/ car wash was **referred** by the Plan Commission to a future hearing. In order to receive final approval of the demolition permit, the following conditions must be met:

Please contact Kathy Voeck, the Assistant Zoning Administrator, at (608) 266-4551 if you have questions regarding the following item:

1. The proposed use will only be allowed if the subject property is rezoned.

Please contact Gary Dallmann, City Engineering, at 266-4751 if you have questions regarding the following eighteen (18) items:

2. It is possible that the applicant might encounter solid waste during demolition activities. The applicant shall be responsible for the proper handling of all excavated waste and its disposal at the WDNR licensed landfill.
3. The city maintains a series of subsurface gas probes on the northern end of the property to monitor for methane gas. The applicant shall be responsible for the protection of these structures and their replacement if damaged.
4. The applicant shall dedicate additional right of way along Pennsylvania Avenue such that the right of way line shall be 17 feet back from the face of curb.
5. The applicant shall dedicate additional right-of-way along N. Third Street such that the right of way line shall be 14 feet back from the face of curb.

6. The applicant shall construct sidewalk along Pennsylvania Avenue. The width of the sidewalk may be wider than standard as determined by the City Engineer and City Traffic Engineer.
7. Stormwater treatment requirements include 40% TSS, oil and grease removal and erosion control.
8. The work under the Developer agreement shall include removal and/or abandonment of the public sanitary sewer, along with release of corresponding easement.
9. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
10. The Applicant shall construct sidewalk along Pennsylvania Avenue and N. Third Street to a plan approved by the City Engineer.
11. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
12. The Applicant shall replace all sidewalk and curb and gutter which abuts the property that is damaged by the construction or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
13. A City licensed contractor shall perform all work in the public right-of-way.
14. Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Please contact Greg Fries at 267-1199 to discuss this requirement.

17. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.
18. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
19. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

Please contact my office at 261-9632 if you have questions about the following two items:

20. That the applicant receive approval of the demolition by the Urban Design Commission prior to issuance of a wrecking permit.
21. That the applicant grade, seed and secure the subject property after removal of the buildings by May 1, 2006 if development of replacement structures have not commenced by then.

Plan Commission approval of the requested demolition permit does not constitute approval of any future redevelopment of the site. If the proposed rezoning and planned unit development is approved, a separate letter will be issued containing specific conditions of approval that will need to be met prior to recording.

Approval of this project 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.

Please now follow the procedures listed below for obtaining your demolition permit:

1. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of wrecking permit.
2. Please revise your plans per the above and submit *eight (8) 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.
3. 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.
4. 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 said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit.

If you have any questions regarding obtaining your demolition or building permits, 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 demolition permit.

Signature of Applicant

- cc: Ald. Brian Benford, District 12
Kathy Voeck, Assistant Zoning Administrator
John Leach, Traffic Engineering
Gary Dallmann, City Engineer's Office

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: