



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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November 10, 2020

Adam Stein  
Logic Design & Architecture  
802 N 109<sup>th</sup> Street  
Milwaukee, WI 53226

RE: Legistar #62312; Accela ID: 'LNDUSE-2020-00111' -- Approval of a demolition permit – final plan approval and a conditional use to construct a restaurant in the Industrial Limited (IL) Zoning District at 2501 S Stoughton Road.

Dear Mr. Stein,

At its November 9, 2020 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your demolition and conditional use request to construct a single-story, 2,200 square-foot restaurant (Starbuck's Coffee) with a vehicle access sales and service window (drive-thru). In order to receive final approval of the demolition permit and conditional use, and for any permits to be issued for your project, the following conditions shall be met:

**Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following thirteen (13) items:**

1. Site appears to have multiple sewer laterals. One is on Seiferth Road which is planned to be reused and one is onto Pflaum Road. Unused laterals will need to be abandoned if they have not already been done so as a condition of approval.
2. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
3. Construct sidewalk, terrace, curb and gutter and asphalt to a plan as approved by City Engineer.
4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

5. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
6. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
7. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
8. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
9. Based on WDNR BRRTS record #03-13-152105 WISCONSIN INDUSTRIAL TRUCK CO, the property may contain residual petroleum soil contamination. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
10. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

11. This redevelopment is required to reduce peak discharge during the 10-year event by 15% compared to existing conditions and total volume from the site by 5% compared to existing conditions. TSS must be reduced by 80% compared to existing or 60% off of parking areas. Oil and grease control is required.

12. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
13. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

**Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following twenty-three (23) items:**

14. The applicant shall provide a queuing model showing the capacity for 6 vehicles from the order board and 3 additional vehicles from the service window. If the 6 vehicle requirement is not able to be met a second queuing lane may be required.
15. Note: This site has the potential to be affected by a future Wisconsin Department of Transportation project. The applicant shall submit the plan to be reviewed by the Wisconsin Department of Transportation, upon review by the Wisconsin Department of Transportation, the applicant shall submit to the City of Madison Traffic Engineering Department documentation of approval to be placed on file with Traffic Engineering.
16. The current plan shows a driveway entrance with radii tapers, the applicant shall replace these radii with standard flare tapers to provide a better pedestrian experience.
17. The applicant shall be restricted to ingress only access on their South Stoughton Road Service Road driveway using signage and narrowing of the driveway. Traffic Engineering has concerns with the potential issues that this driveway could cause to the operations of the Pflaum Road - South Stoughton Road Service Road intersection operations, specifically, the additional northbound left turns to the Pflaum Road - South Stoughton Road Service Road intersection.
18. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a minimum five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Pflaum Road and South Stoughton Road Service Road.
19. The applicant shall install sidewalk on Pflaum Road, South Stoughton Road Service Road, and Seiferth Road according to plan by a City Engineering developer's agreement.
20. 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; vision triangles; 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 route s; dimensions of radii; and percent of slope.

21. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
22. 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.
23. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
24. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
25. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
26. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
27. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
28. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
29. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
30. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
31. The applicant shall work with Traffic Engineering on location of Metro bus stop and pad adjacent their site on Pflaum Road according to plan by a City Engineering developer's agreement.
32. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

33. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
34. Applicant shall submit for review a vehicular turning movement template demonstrating the use of the order board and pick-up window. All vehicle service window access aisles shall have a minimum outside turning radius of thirty (30) feet.
35. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
36. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

**Please contact Jacob Moskowitz, the Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following three (3) items:**

37. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 4 short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious 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.
38. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
39. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development. Note that wall signage may not extend more than four (4) feet above the roof line. No more than four (4) vertical feet of the parapet wall may be included in the measurement of the signable area.

**Please contact Jeffrey Heinecke of City Forestry at (608) 266-4816 if you have any questions regarding the following three (3) items:**

40. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees.
41. Street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone.

42. A replacement tree is required to be planted in the area where the street tree was removed. In this case, a Ginkgo biloba 'Princeton Sentry' is recommended. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted to City Forestry for approval of planting locations and tree species. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

**Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following three (3) items:**

43. The utility plan shows connecting a new 2 inch service to an existing 3/4 inch service. Verification is required that using the existing 3/4 inch service will provide enough flow for the proposed building.

44. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

45. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

**Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following two (2) items:**

46. As identified on the plans submitted for review, the applicant shall install and maintain a concrete boarding pad surface at the Metro bus stop zone that is shown on the south side of Pflaum Road, west of Seiferth Road (#7499).

47. Metro Transit operates daily, all-day service along Pflaum Road, adjacent this property. Bus stop ID #7499 is on the south side of Pflaum Road, west of Seiferth Road.

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

48. Upon the approval of the final location of the public sidewalk and minimum street terrace needs required by City Engineering and City Traffic Engineering Staff along the perimeter of this site, the Owner shall dedicate any required public right of way or grant a public sidewalk easement lying 1' behind the proposed public sidewalk. Upon final determination of the right of way or easement needs, provide a map exhibit, legal description tied to a quarter line and administrative fee to Jeff Quamme

(jrquamme@cityofmadison.com). He will set up the City of Madison Real Estate project to administer, execute and record the final document.

49. There is a 0.5 to 1' wide strip of land shown as part of this site that appears to still be owned by the City of Madison. The strip was not included in the conveyance recorded as Document No. 2298614. (City Real Estate project 2595) Coordinate a conveyance from the City to the Owner to clear title with Jeff Quamme (jrquamme@cityofmadison.com)
50. The address of 2501 S Stoughton Rd will be retired with the demolition of the existing building. The address of the proposed building is 2503 S Stoughton Rd. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

**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 demolition permit and conditional use:**

1. After the plans have been revised per the above conditions, please resubmit a PDF copy of the complete, fully dimensioned, and to-scale plans, 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 ([zoning@cityofmadison.com](mailto:zoning@cityofmadison.com)). Note that the 20MB email limit still applies. Please mail the check, made out to "City Treasurer", for the site plan review fee to the following address: City of Madison Building Inspection P.O. Box 2984 Madison, WI 53701-2984. Include a cover page with the check, which includes the project address, brief description of the project, and contact information.
2. This property is not located within 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 demolition or removal permit is valid for one (1) year from the date of the Plan Commission. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission. Where the plans have not been altered since issuance of the demolition or removal permit and the permit 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 24 months from the expiration date.
5. Where 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.

6. 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.
7. 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 [sprusak@cityofmadison.com](mailto:sprusak@cityofmadison.com)

Sincerely,



Sydney Prusak, AICP  
 Planner

- cc: Brenda Stanley, Engineering  
 Jeffery Quamme, Engineering Mapping  
 Sean Malloy, Traffic Engineering  
 Jacob Moskowitz, Zoning  
 Bill Sullivan, Fire Department  
 Jeffrey Heinecke, City Forestry  
 Jeff Belshaw, Water Utility  
 Tim Sobota, Metro Transit

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 checked="" type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	Water Utility		