

PLANNING DIVISION STAFF REPORT

May 11, 2020

PREPARED FOR THE PLAN COMMISSION



Project Address: 3817 Milwaukee Street (District 15 – Ald. Foster)
Application Type: Demolition Permit & Conditional Use
Legistar File ID #: [59537](#)
Prepared By: Sydney Prusak, AICP, Planning Division
Report includes comments from other City agencies, as noted.
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant: James Arneson; FoxArneson, Inc.; 5972 Executive Drive #100; Madison, WI 53719
Property Owner: Woodman’s Food Markets Inc., Clint Woodman; 2631 Liberty Lane; Janesville, WI 53545
Contact: Philip Weightman; FoxArneson, Inc.; 5972 Executive Drive #100; Madison, WI 53719

Requested Action: Approval of a demolition permit allow the demolition of an auto service station with a convenience store and car wash and the demolition of a restaurant building and the following conditional uses in the Commercial Center (CC) Zoning District: 1) Construction of an auto service station and convenience store; 2) A planned multi-use site containing more than forty thousand (40,000) square feet of floor area and where twenty-five thousand (25,000) square feet of floor area is designed or intended for retail use or for hotel or motel use; and 3) Nonresidential development immediately adjacent to the boundary of a City-owned public park.

Proposal Summary: The applicant proposes to demolish an auto service station with a convenience store, car wash, and restaurant building in order to reconfigure the site and construct a new auto service station (lube center and fueling canopy), convenience store, and car wash. The redevelopment is part of a planned multi-use site, which contains a large grocery store (Woodman’s Market) and accessory parking lot. As this redevelopment impacts more than 10% of the multi-use site, the applicant is required to bring the whole site up to current Zoning standards, which includes installing landscape islands. Project construction is anticipated to being in spring 2020 will projected completion in fall of 2020.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185] and Conditional Uses [MGO §28.183(6)]. Additionally, alterations to existing developments that exceed a 100,000 building footprint shall also be approved pursuant to the applicable “Large Retail Development” standards [MGO §33.24(4)(f)], to the extent possible, given the constraints of the existing sites and structure.

Review Required By: Urban Design Commission (UDC) and Plan Commission (PC)

Summary Recommendations: The Planning Division recommends that the Plan Commission find that the approval standards for demolition and conditional uses are met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

Background Information

Parcel Location: The 625,811 square-foot (approximately 14.37-acre) subject site is located on the south side of Milwaukee Street near the Stoughton Road interchange. It is located in Aldermanic District 15 (Ald. Foster) and the Madison Metropolitan School District.

Existing Conditions and Land Use: The subject site is part of a planned multi-use site, which contains the existing auto service station, convenience store, restaurant, and large grocery store with a surface parking lot.

Surrounding Land Uses and Zoning:

- North:** Single-story commercial buildings, zone Suburban Employment (SE) with portion of the properties located in the Town of Blooming Grove;
- East:** Woodman’s parking lot and a multi-tenant commercial building across Dempsey Road, zoned Commercial Center (CC);
- South:** Woodman’s Market, zoned CC, with Eastmorland Park beyond, zoned Parks and Recreation (PR); and
- West:** Eastmorland Park, zoned PR, with single-family residential beyond, zoned Traditional Residential – Consistent 1 (TR-C1) and Traditional Residential – Consistent 2 (TR-C2).

Adopted Land Use Plan: The [Comprehensive Plan \(2018\)](#) recommends General Commercial (GC) for the subject site. The GC category includes “relatively compact areas along roadways and larger commercial districts, containing a wide variety of retail or service activities. GC includes automobile-oriented uses and “heavy” commercial uses with the appearance or operational characteristics not generally compatible with residential or small scale commercial activities.” The [Milwaukee Street Special Area Plan \(2018\)](#) offers two different land use recommendations for the subject site, depending if Woodman’s Market renovates or relocates their East Side store in the future. If Woodman’s chooses to renovate, the Special Area Plan (SAP) echoes the Comprehensive Plan recommendation for GC. However, if Woodman’s chooses to relocate to a new building across Milwaukee Street, the SAP offers an alternative concept with a recommendation for Community Mixed Use (CMU) for the subject site. The CMU category includes existing and planned areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. It is important to note that “the inclusion of the alternative concept in the Plan does not indicate a plan or preference by the City to relocate Woodman’s; it only establishes this as an option for future development and redevelopment.”

Zoning Summary: The subject property is zoned Commercial Center (CC) District.

Requirements	Required	Proposed
Front Yard Setback	85’	Less than 85’
Side Yard Setback: Where buildings abut residentially zoned lots at side lot line	Minimum side yard required in adjacent residential district (SR-V2): 5’	Adequate
Side Yard Setback: Other cases	One-story: 5’	125.0’
Rear Yard Setback	The lesser of 20% of lot depth or 20’	85.7’

Maximum Lot Coverage	85%	91.4%	(32)
Maximum Building Height	5 stories/68'	1 story	

Site Design	Required	Proposed
Number Parking Stalls	No minimum required General retail; food and related good sales: Maximum 1 per 200 sq. ft. floor area (986) Auto convenience store: Maximum 1 per 500 sq. ft. of floor area (3) Auto service station: Maximum 1 per 1,000 sq. ft. of floor area excluding service bays + 2 spaces per service bay (8) (Total maximum 997)	574
Accessible Stalls	Yes	20
Loading	4 (10' x 50')	Existing loading facility
Number Bike Parking Stalls	General retail; food and related good sales: 1 per 2,000 sq. ft. floor area (No change) Auto convenience store: 1 per 1,000 sq. ft. floor area (1) Auto service station: 1 per 5 employees (1)	64 Woodman's Food Market 3 convenience store
Landscaping and Screening	Yes	Yes (33)(34)(35)(36)
Lighting	Yes	Yes
Building Forms	Yes	Free-standing commercial building (37)

Other Critical Zoning Items	Urban Design (Planned Multi-Use Site); Adjacent to Park; Barrier Free (ILHR 69); Utility Easements; Wellhead Protection District (WP-11)	(27)
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Tables Prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services, including multiple Madison Metro Routes serving the site as the East Transfer Point is located directly north of Milwaukee Street.

Project Description

The applicant, FoxArnsen on behalf of Woodman's Food Markets, proposes to demolish an auto service station, convenience store, restaurant, and car wash in order to facilitate the redevelopment of the northwest corner of the planned multi-use site. The redevelopment will include a new auto service station (fuel canopy and lube center), a new convenience store, and a new car wash. The applicant will also bring the entire planned multi-use site into compliance with Zoning requirements, namely by installing new landscape islands throughout the large grocery store parking lot.

The first structure proposed for demolition is a 3,958 square-foot single-story out-lot restaurant building. According to City Assessor Data, the building was constructed in 1981 and has not had any significant renovations since. In keeping with the submitted materials, the area formerly occupied by that building will be redeveloped as a parking lot with underground stormwater detention. During this first phase of demolition and construction, the applicants proposes to demolish the existing car wash and fuel canopy and construct the new 1,496 square-foot convenience store (C-Store) and 3,702 square-foot lube center. Once these new facilities are operational, the

applicant will then demolish the existing C-store and lube center and construct a new 4,116 square-foot fuel canopy and 2,174 square-foot car wash. [Photos](#) of all the existing structures proposed for demolition are available here from the City's Legislative Home page.

In regards to the site layout and design, the C-store and Lube Center are connected as one building oriented perpendicular to Milwaukee Street. This building will lay parallel to the western most ring road for the site. The applicant is proposing five vehicle and bicycle parking stalls between the building and Milwaukee Street. Additionally, the lube center will contain four automobile service stations. The proposed fuel canopy will be located next to the C-store and lube center and will also be oriented perpendicular to Milwaukee Street. As proposed, the fuel canopy will have five fueling stations, with capacity to serve ten vehicles at a time. Lastly, the proposed car wash will be located on the western portion of the redeveloped area and will have two car wash lanes serving vehicles from north to south. In terms of building materials, all the new structures will have brick, glass, and metal elements all in the same red and gray color families.

In regards to access and circulation, the applicant will maintain access from Corporate Drive to serve as a ring road for the larger Woodman's site. As proposed, the applicant will relocate the existing driveway further east to make room for the new car wash. The applicant will also incorporate more pedestrian and bicycle connections throughout the site, including a connection to the existing sidewalk along Milwaukee Street and a connection to Eastmorland Park to the south. The applicant will install new landscape islands every 10 vehicle parking stalls to ensure that the entire parking lot conforms with the Zoning Code requirements.

Project Analysis

The proposed project is subject to the standards for Demolition Permits [MGO §28.185(7)] and Conditional Uses [MGO §28.182(6)].

Conformance with Adopted Plans

The [Comprehensive Plan \(2018\)](#) recommends General Commercial (GC) for the subject site. The GC category includes "relatively compact areas along roadways and larger commercial districts, containing a wide variety of retail or service activities. GC includes automobile-oriented uses and "heavy" commercial uses with the appearance or operational characteristics not generally compatible with residential or small scale commercial activities." Furthermore, the Plan states that, "While GC areas tend to be auto-oriented, changes to GC development that improve walking, biking, and transit access are encouraged. Depending on specific uses, the districts may require significant buffering from adjacent land uses. There is no limit on the size of establishments that may be constructed within a GC area, but all uses should be compatible with the density and scale of the surrounding development."

Additionally, the [Milwaukee Street Special Area Plan \(2018\)](#) offers two different land use recommendations for the subject site, depending if Woodman's Market renovates or relocates their East Side store in the future. If Woodman's chooses to renovate, the Special Area Plan (SAP) echoes the Comprehensive Plan recommendation for GC. However, if Woodman's chooses to relocate to a new building across Milwaukee Street, the SAP offers an alternative concept with a recommendation for Community Mixed Use (CMU) for the subject site. The CMU category includes existing and planned areas supporting an intensive mix of residential, commercial, and civic uses serving residents and visitors from the surrounding area and the community as a whole. It is important to note that "the inclusion of the alternative concept in the Plan does not indicate a plan or preference by the City to relocate Woodman's; it only establishes this as an option for future development and redevelopment."

Considering the adopted plans for the subject site, the Planning Division believes that this proposal generally conforms to their recommendations. The proposed redevelopment is believed to be in keeping with the GC recommendations. Further, the applicant is proposing additional pedestrian and bicycle connections and staff believes that the installation of landscape islands will help the overall site aesthetics. In regards to the [Milwaukee Street Special Area Plan \(2018\)](#), staff believes that the project conforms to the original concept recommendation for Woodman's to remain at its current location. While the redevelopment of the existing site may prevent it from redeveloping into a CMU development, it maintains the potential for the north side of Milwaukee Street to redevelop in accordance with adopted plans in the future.

Demolition Approval Standards

In order to approve a demolition request, the Plan Commission must find that both the requested demolition and the proposed future use are compatible with the purpose of the demolition section of the Zoning Code and the intent and purpose expressed in the Commercial Center (CC) Zoning District. A copy of the statement of purpose is included in the Plan Commission materials. The purpose of the demolition section is to aid in the implementation of adopted City plans, protect neighborhood character, preserve historic buildings, encourage the reuse and/or relocation of existing buildings, discourage buildings falling into a state of severe disrepair from lack of maintenance by the owner, encourage compliance with building and minimum housing codes, and allow the property owner to have a decision on approval or disapproval of the proposed use of the property before he or she takes the irrevocable step of demolishing or moving the buildings.

The demolition standards state that the Plan Commission shall consider and may give decisive weight to any relevant facts including impacts on the normal and orderly development of surrounding properties and the reasonableness of efforts to relocate the building. The demolition standards also state that the proposed uses should be compatible with adopted plans, which is discussed above.

Finally, the demolition standards state that the Plan Commission shall consider the report of the City's Historic Preservation Planner regarding the historic value of the property as well as any report submitted by the Landmarks Commission. At their February 17, 2020 meeting, the Landmarks Commission found that the buildings located at 3705 and 3737 Milwaukee Street have no known historic value.

Considering that the majority of the buildings/structures proposed for demolition will be replaced with similar buildings and structures, the Planning Division believes that the Demolition Approval Standards can be found met.

Conditional Use Standards

The applicant is requesting approval of three conditional uses in the Commercial Center (CC) Zoning District: 1) Construction of an auto service station and convenience store; 2) A planned multi-use site containing more than forty thousand (40,000) square feet of floor area and where twenty-five thousand (25,000) square feet of floor area is designed or intended for retail use or for hotel or motel use; and 3) Nonresidential development immediately adjacent to the boundary of a City-owned public park.

In regards to the Conditional Use Approval Standards, the Plan Commission shall not approve a conditional use without due consideration of the City's adopted plan recommendations, design guidelines, supplemental regulations, and finding that all of the conditional use standards of MGO §28.183(6) are met. Please note, recent changes to state law requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation. The Planning Division believes that this proposal conforms to the adopted plan recommendations for the subject site. Staff believes that the

standards can be found met, with the recommended conditions of approval, and provides further discussion on Standards #1 #4, #5, and #9.

Conditional Use Standard #1 states, "The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare." A portion of the redevelopment area is located with Zone B of a Wellhead Protection Zone (WP-11) and portions of the larger planned multi-use site are located with WP-11 Zone A. However, the Madison Water Utility is in the process of updating the Wellhead Protection districts. Under the proposed changes, the property at 3817 Milwaukee Street would fall completely within Zone A of WP-11 Zone A. MGO §28.102(3) MGO states, "All uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manager or his/her designee. A use may be approved with conditions." In correspondence with Isabel Marrah, Water Quality Program Specialist for Madison Water Utility, she stated that the Utility would not approve a gas station as a new use in Zone A of a Wellhead Protection District. However, they can approve the expansion of an existing use, as long as the new use poses less risk to the aquifer than the current one. According to the Water Utility, the owner's agent proposed modernized equipment for storage and delivery of fuel including double wall tank construction with interstitial monitoring, additional safeguards on the hosing material, and organics capture of stormwater drainage to the site. Given the proposed water quality protections, in principle, the Water Utility supports the proposed plan to upgrade the gasoline service station to modern standards that improve the ability to monitor, detect, and mitigate potential spills. Furthermore, as a condition of approval, the Utility requests a review of the final proposal, including strategies to mitigate threats to groundwater contamination. Any proposed upgrades shall be highlighted and submitted to the Water Utility for final approval. Given these conditions and considerations from the Water Utility, the Planning Division believes that this standard can be found met.

Conditional Use Standard #4 states, "The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district." Staff believes that this standard can be found met. While the [Milwaukee Street Special Area Plan \(2018\)](#) does include a Community Mixed Use (CMU) redevelopment concept for the subject site, it does maintain the General Commercial (GC) [Comprehensive Plan \(2018\)](#) recommendation if Woodman's chooses to stay in its current location. With this proposal, the existing grocery store will remain in its current form, and staff does not believe that the construction of a new auto service station, convenience store, and car wash will impede the normal and orderly development of surrounding property to be development in keeping with the recommendations in the Special Area Plan.

Conditional Use Standard #5 states, "Adequate utilities, access roads, drainage, parking supply, internal circulation improvements, including but not limited to vehicular, pedestrian, bicycle, public transit, and other necessary site improvements have been or are being provided." The Planning Division believes that this standard can be found met. The applicant proposes to install pedestrian connections to the sidewalk along Milwaukee Street and to Eastmorland Park. Staff notes a recommended condition of approval from Traffic Engineering, requiring that the applicant dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5) foot wide sidewalk, eight (8) foot terrace, and additional one (1) foot for maintenance along Milwaukee Street via CSM. The Planning Division believes that extending the sidewalk along the entire Woodman's site will aid in the transition from a more auto-oriented to pedestrian-oriented environment. Furthermore, the parking lot serving the grocery store will be brought up to Zoning Standards, which staff believes will create a safer and more enjoyable environment for customers.

Lastly, Conditional Use Standard #9 states, "When applying the above standards to any new construction of a building or an addition to an existing building, the Plan Commission shall find that the project creates an environment of sustained aesthetic desirability compatible with the existing or intended character of the area and

the statement of purpose for the zoning district. In order to find that this standard is met, the Plan Commission may require the applicant to submit plans to the Urban Design Commission (UDC) for comment and recommendations.” Given that this development site is considered a planned multi-use site, a recommendation from the UDC is required. This proposal first went before the UDC on January 15, 2020 for an informational presentation. At that meeting, the UDC discussed building materials and orientation and the landscaping for the entire site. Then, at their April 29, 2020 meeting, meeting in regular session, the UDC unanimously voted to recommend that the Plan Commission approve this request. Given UDC’s recommendation, the Planning Division believes that this standard can be found met.

Large Retail Development Standards

Alterations to existing developments that exceed a 100,000 building footprint shall also be approved pursuant to the applicable “Large Retail Development” standards [MGO §33.24(4)(f)]. The ordinance acknowledges that in applying this ordinance to the redevelopment, expansion, or remodeling of existing sites, the stated intent is to seek improvements while recognizing that existing constraints will likely make full compliance with all provisions of this section difficult or infeasible. The ordinance shall be applied to the extent possible. Staff believes that the proposed improvements implement the applicable standards, but note the following:

Parking. This section of MGO includes several requirements. Staff note that a 10 foot landscape buffer is required between the sidewalk and street. Staff note that where new construction is proposed at the site’s northwestern edge, the landscape area is listed at 8.3 feet at its narrowest point. Staff recommend that this area be widened to a minimum of 10 feet.

- *Transportation Demand Management (TDM).* This section of MGO specifies that a TDM plan must be provided for an existing retail business establishment with 100 or more full-time/full-time equivalent employees that is proposing an addition or alteration. The specified requirements under this section are prescriptive as to what is required. TDM options can include such things as employer-subsidized Metro bus passes, secured bicycle parking, and showers and lockers. Ordinance requires that this be approved by the Planning Division Director after review by the City Traffic Engineer. A condition of approval requiring a TDM is recommended.
- *Pedestrian Circulation.* This section of MGO requires several provisions regarding internal pedestrian circulation. Staff notes the proposed site plan now includes two designated routes, directly connecting the Milwaukee Street sidewalk and Metro Transit stops to the grocery store’s main entrances. Among the code requirements are that such improvements are signed and distinguished from driving surfaces to enhance pedestrian safety and comfort. Staff would normally request further detail of these measures prior to final plan sign-off. However, considering the long-established circulation patterns on site/building elements that are not changing with this current proposal, staff is not recommending additional improvements, noting the flexibility afforded for redevelopments.
- *Central Features and Community Spaces.* This section of MGO requires that one “central feature” or “community space” of at least 400 square-feet is provided for each 40,000 square feet of building floor area. The code includes a broad list of possible qualifying features including patio/seating areas, pedestrian plazas with benches, kiosk areas, planter walls, outdoor employee amenities, or other designed focal features. Based on an estimated floor area of about 200,000 square feet, five such areas would be required if this were new construction. Recognizing the flexibility afforded for alterations to existing sites, staff believes that would be difficult to provide that number of such spaces. As a condition of approval, staff recommends that two such areas are designated on the site plan, for final approval by Planning staff.

Public Input

At the time of report writing, staff did not receive any public comments.

Conclusion

The applicant proposes to demolish an auto service station with a convenience store and car wash and an outlet restaurant building in order to reconfigure the site and construct a new auto service station (lube center and fueling canopy), convenience store, and car wash. The redevelopment is part of a planned multi-use site, which contains a large grocery store (Woodman’s Market) and accessory parking lot. As this redevelopment impacts more than 10% of the multi-use site, the applicant is required to bring the whole site up to current Zoning standards, including additional landscape islands.

The Planning Division believes that this proposal can be found to meet the approval standards for demolition and removal permits and conditional uses. The proposal is in keeping with both the [Comprehensive Plan \(2018\)](#) and [Milwaukee Street Special Area Plan \(2018\)](#) General Commercial (GC) land use recommendations for the subject site. Furthermore, given its location in a Wellhead Protection District, the Water Utility has provided additional considerations to ensure that Approval Standard #1 can be found met.

Recommendation

Planning Division Recommendation (Contact Sydney Prusak, (608) 243-0554)

The Planning Division recommends that the Plan Commission find that the standards for demolition and conditional uses are met, and **approve** the demolition and conditional use requests. These recommendations are subject to input at the public hearing and the conditions from reviewing agencies in this report.

Recommended Conditions of Approval: Major/Non-Standard Conditions are Shaded

Planning Division (Contact Sydney Prusak, (608) 243-0554)

1. The Plan Commission finds that the proposed modifications to the large retail site meets §33.24(4)(f), noting that for partial redevelopment/modifications, the code’s stated intent is to seek improvements while recognizing that existing constraints will likely make full compliance with all provisions of this section difficult or infeasible. The following modifications found necessary to meet this section and shall be approved by staff prior to final sign-off of the redevelopment plans:

- a. The northwest corner of the site shall have a minimum 10 foot landscape buffer between the edge of the parking lot/drive aisle and edge of property.
- b. A TDM Plan shall be approved by the Planning Division Director as required by this section of code, prior to final sign-off.
- c. Further detail is provided regarding the signage and pavement markings for internal pedestrian walkways.
- d. That plans are revised to show a minimum of two qualifying “central and community” spaces.

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

2. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit, surety to guarantee the construction of the improvements and a deposit to cover estimated City expenses will be required.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))
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. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
8. Revise the site plan to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service. (POLICY)
9. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
10. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering. (POLICY and MGO 37.09(2))

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

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.

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 tstroester@cityofmadison.com (West).

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

13. The applicant shall dedicate Right of Way or grant a Public Sidewalk Easement for and be responsible for the construction of a five (5)-foot wide sidewalk, eight (8)-foot terrace, and additional one (1) foot for maintenance along Milwaukee Street via CSM.

14. The applicant shall work with Traffic Engineering, Engineering and Parks divisions to install direct pedestrian/bicycle connections to/from the Eastmorland Park Bike Path from the South and West. Pedestrian/bicycle connections may result in the loss of vehicular parking stalls.

15. 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 routes; dimensions of radii; and percent of slope.

16. 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.

17. 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.

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

19. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

20. 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.

21. 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.

22. "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.
23. 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.
24. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
25. Developer shall provide a recorded copy of any joint driveway ingress/egress and crossing easements and shall be noted on face of plan.
26. The applicant shall work with Traffic Engineering to install bicycle parking in a more accessible location for bicyclists of all ages and abilities.

Zoning (Contact Jenny Kirchgatter, (608) 266-4429)

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| <p>27. The project site lies within Wellhead Protection District 11. The proposed auto service station, convenience store and car wash will be subject to review by the Water Utility. All uses in Zones A and B of any Wellhead Protection District shall be approved by the Water Utility General Manger or his/her designee. A use may be approved with conditions. Approval by the Water Utility General Manager or his/her designee is in addition to all other approvals required for the proposed use</p> |
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28. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnsons at streets@cityofmadison.com
 29. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission approval.
 30. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
 31. The proposed auto service station/ convenience store shall comply with Section 28.151 Automobile Body Shop, Automobile Sales and Rental, Automobile Service Station, Automobile Repair Station, Convenience Store, including, but not limited to, the following requirements:
 - a. All automobile servicing and repair activities shall be carried on within an enclosed building.
 - b. No automobile servicing and repair activities may take place between the hours of 7:00 p.m. and 7:00 a.m. unless all of the building's windows and doors are closed.
 32. 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. While the existing site currently exceeds 85% lot coverage area, the proposed site improvements will reduce the lot coverage from the existing level.
 33. 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.

34. Provide notes or details showing that the landscape planting islands contain a minimum of 75% vegetative cover. Vegetative cover may include grass seed, sod, shrubs, or perennials. Per Sections 28.142(3)(c) and 28.142(4)(e), planting beds or planted areas must contain at least 75% vegetative cover mulched. Mulch shall consist of shredded bark, chipped wood or stone installed at a minimum depth of two (2) inches. If stone is used, it shall be spread over weed barrier fabric.
35. Work with Zoning and Urban Design staff to appropriately screen the generator. The generator shall be located and screened to reduce its visual impact when viewed from neighboring property and to be compatible with neighboring structures and the character of the community. Screening materials, landscaping, or fencing shall be similar in appearance to those used for the principal structure on the zoning lot.
36. Provide a detail or profile demonstrating that the rooftop mechanical equipment will not be visible to view above the height of the parapets. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
37. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings.
38. 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.
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.

Forestry Review (Contact Brad Hofmann, (608) 266-4816)

40. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – bhofmann@cityofmadison.com or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester prior to the approval of the site plan.
41. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact

City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

42. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – bhofmann@cityofmadison.com or (608) 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction -

Engineering Division – Mapping Section (Contact Jeffrey Quamme, (608)266-4097)

43. The two Public Sanitary Sewer Easements per CSM 4398 (Doc 1841803) and CSM 3550 (Doc No 1679717) shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees, if any, required. The easements shall be released prior to the recording of the required pending CSM.

44. Lots 1 and 2 of CSM 3550 are prohibited from access to Milwaukee Street per the CSM. The proposed new location of the access will require the access restriction to be released to accommodate the new access location. The restriction shall be released by separate document prepared by City Office of Real Estate Services. Contact Jeff Quamme of Engineering Mapping (jrquamme@cityofmadison.com, 608-266-4097) to coordinate the Real Estate project, and associated information and fees required. The restriction shall be released prior to recording the new CSM. Also the new CSM shall restrict access to adjoining streets as required by City Traffic Engineering.

45. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

46. The site plans shall distinctly outline and label the area per Quit Claim Deed Doc No 2667407 in which there is a clause granting the City of Madison the right to repurchase the property for the possible extension of Corporate Drive to the south.

47. Correct the boundary along the north side of this site to acknowledge the City of Madison's acquisition of lands per Doc No. 2779428 and a maintenance agreement for city utilities per Doc No 2779427.

48. With the CSM and the new building locations, the addresses are being changed. The new C store and car wash will have new addresses. The new C store address is 3805 Milwaukee Street. The new car wash address is 3811 Milwaukee Street. The existing gas station address of 3705 Milwaukee Street and the existing car wash address of 3703 Milwaukee St and the existing restaurant address of 3737 Milwaukee St will be retired with the demolition of each building. 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.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

49. Water Utility requests a review of the final proposal, including strategies to mitigate threats to groundwater contamination. Any proposed upgrades shall be highlighted and submitted to the Water Utility for final approval