



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

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August 7, 2006

John Flad
Flad Development & Investment Corp.
7941 Tree Lane, Suite 105
Madison, Wisconsin 53717

RE: Approval of a demolition permit to allow an existing one-story restaurant located at 6613 Mineral Point Road to be razed and a new restaurant/ retail building to be constructed, and a conditional use for an outdoor seating area to serve the restaurant.

Dear Mr. Flad:

The Plan Commission, meeting in regular session on August 7, 2006 determined that the ordinance standards could be met and **approved** your request for a demolition permit to allow a restaurant located at 6613 Mineral Point Road to be razed and a new building containing retail space and a restaurant with outdoor seating to be constructed, subject to the conditions below. In order to receive final approval of the demolition permit and conditional use, the following conditions must be met:

Please contact Kathy Voeck, the Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following five items:

1. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of three accessible stalls striped per State requirements. A minimum of one stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b.) Show signage at the head of the stall. Accessible signs shall be a minimum of 60 inches between the bottom of the sign and the ground.
 - c.) Show the accessible path from the stalls to the building. The stalld shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
2. Provide seven bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.
3. Provide a detailed landscape plan. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point

and required tree ordinances. In order to count toward required points, the landscaping shall be within 15 and 20 feet of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.

4. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). Lighting will be limited to .08 watts per square foot.
5. The Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. The Zoning Section of the Department of Planning and Development must issue permits. Note: The ground sign, as proposed, exceeds the square footage allowed.

Please contact Janet Gebert, City Engineering, at 266-4751 if you have questions regarding the following twelve items:

6. Any damage to pavement on Grand Canyon or Mineral Point Road will require restoration in accordance with City Engineering patching criteria.
7. New building will have a Grand Canyon Drive address. Building plans shall be revised to reference the new situs address of 401 Grand Canyon Drive. 6613 Mineral Point Road will be an invalid address after the demolition. 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.
8. That the applicant close all abandoned driveways by restoring the terrace with grass.
9. The applicant shall replace all sidewalk and curb and gutter abutting 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.
10. 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.
11. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the Wisconsin Department of Natural Resources is required.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to control 40% TSS (20 micron particle) and provide oil & grease control from the first 1/2" of runoff from parking areas.

13. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, other miscellaneous impervious areas.
14. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
15. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc. and; sediment loading calculations. 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.
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
17. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior to connection to the public sewerage system.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following six items:

18. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
19. The applicant shall redesign the Grand Canyon Drive approach to align with the approach across the street or use the existing approach.
20. "Stop" and "No Left Turns" signs shall be installed at a height of seven feet to the bottom of the first sign at the driveway approach to Mineral Point Road and a "Stop" sign shall be installed at a height of seven feet at the Grand Canyon Drive approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
21. The intersection shall be so designed so as not to violate the City's sight-triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting street lines or

their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance.

22. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
23. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following two items:

24. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hoses lay off the truck. See MGO 34.20 for additional information.
25. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19 as follows:
 - a.) the site plans shall clearly identify the location of all fire lanes;
 - b.) provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have questions about the following two items:

26. The applicant shall revise site plans to show the existing concrete passenger boarding pad on the south side of Mineral Point Road, east of Grand Canyon Drive – located between the top of curb and top of sidewalk and associated with Metro bus stop ID #6903.
27. The applicant shall protect bus passenger access to and from this boarding pad during construction, and shall repair or replace this boarding pad if impacted during the project.

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

28. That a revised landscaping plan be submitted for Planning Unit approval that includes the planting of at least one additional shade tree in the 30-foot setback along Mineral Point Road.

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

1. Please revise your plans per the above and submit *seven (7) 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.

- 2. 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.
- 3. 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 (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 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 and conditional use permit. _____ <i>Signature of Applicant</i>

- cc: Kathy Voeck, Assistant Zoning Administrator
Janet Gebert, City Engineer's Office
John Leach, Traffic Engineering
Tim Sobota, Metro Transit
John Lippitt, Madison Fire Department

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