



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://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  
PH 608 266-4635

June 17, 2008

John Sutton  
Sutton Architecture  
104 King St.  
Madison, Wisconsin 53703

RE: Approval of a demolition permit for a vacant convenience store and a conditional use permit for a new convenience store with fuel sales at 2702 East Washington Avenue.

Dear Mr. Sutton:

The Plan Commission, meeting in regular session on June 16, 2008 determined that the ordinance standards could be met and **approved** your client's request for a demolition permit to allow a vacant, fire-damaged convenience store and related shed located at 2702 East Washington Avenue to be razed and replaced with a new convenience store, subject to the conditions below. In order to receive final approval of the demolition permit, the following conditions must be met:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following 19 items:**

1. As the City Engineer has no interest in vacating the portion of Clyde A. Gallagher Replat dedicated right-of-way for East Washington Avenue adjacent to this site, the owner shall enter into a lease agreement with the City of Madison for the future use of this subject East Washington Avenue right-of-way lands.
2. In order to correct apparent errors in the Birrenkott Surveying ALTA Plat of Survey Map No. 971153-L prepared per ALTA Commitment No. C-26807, a more complete and accurate Plat of Survey shall be prepared to reflect the current true existing conditions of this site and better identify the area that the City of Madison could potentially lease to the applicant.
3. The owner shall install bollards or other features to prevent vehicle access to Kedzie Street as required by the City Traffic Engineer.
4. The applicant shall replace all sidewalk and curb and gutter abutting the property that is either damaged by the construction or 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.
5. The site plans shall be revised to show the location of all rain gutter down spout discharges.
6. The site plans shall be revised to identify the location of storm sewer designed and constructed to serve this development, and to show connection of an internal drainage system to the existing public storm sewer.
7. The plan set shall be revised to show a proposed private internal drainage system on the site, including the depths and locations of structures and the type of pipe to be used.

8. 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.
9. 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) off of new paved surfaces, and provide oil and grease control from the first ½ inch of runoff from parking areas. Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.
10. The plan set shall be revised to show more information on proposed drainage of the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
11. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (.dwg) Version 2001 or older, Microstation (.dgn) Version J or older, or Universal (.dxf) format and contain only the following data, each on a separate layer name/level number:
  - a) Building footprints
  - b) Internal walkway access
  - c) Internal site parking areas
  - d) Other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-way lines (public and private)
  - f) All underlying lot lines or parcel lines if unplatted
  - g) Lot numbers or the words “unplatted”
  - h) Lot/Plat dimensions
  - i) Street names

All other levels (contours, elevations, etc.) are not to be included with this file submittal.

Note: Email file transmissions preferred: [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, or parking/pavement during construction will require a new CAD file.

12. 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, and shall have a scale bar on the plan set. PDF submittals shall contain the following information:
  - a) Building footprints
  - b) Internal walkway access
  - c) Internal site parking areas
  - d) Lot lines and right-of-way lines
  - e) Street Names
  - f) Stormwater management facilities
  - g) Detail drawings associated with Stormwater Management facilities (including planting plans, if applicable)
13. The applicant shall submit, prior to plan sign-off, electronic copies of any stormwater management files including:
  - a) SLAMM DAT files
  - b) RECARGA files
  - c) TR-55/HYDROCAD/Etc.
  - d) Sediment loading calculations

If calculations are done by hand or are not available electronically the hand copies of printed output shall be scanned to a PDF file and provided.

14. 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.
15. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
17. The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
18. 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.
19. The site plan shall be revised 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

The applications for the above permits (#14, #15, #16, and #18) are available online at:  
<http://www.cityofmadison.com/engineering/permits.cfm>.

**Please contact Pat Anderson, Assistant Zoning Administrator at 266-4551 if you have any questions about the following 6 items:**

20. As the submitted plans show one (1) less parking space than the required number of spaces for the proposed retail/office use, the applicant shall submit a parking stall reduction request application to the Zoning Administrator.
21. Final plans must meet all applicable State accessibility requirements, including but not limited to:
  - a) Required accessible stalls will be striped per State requirements. A minimum of one (1) of the stalls shall be van accessible, 8 ft. wide with an 8 ft. striped area adjacent to it.
  - b) Show signage at the head of the stalls. Accessible signs shall have a minimum of 60 inches between the bottom of the sign and the ground.
  - c) Highlight or call out the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.
22. Provide four (4) bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers, 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.*
23. The Plan Commission does not grant signage approvals, but signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. As this site is within an Urban Design District, the Urban Design Commission and Zoning staff must approve signage. Sign permits must be issued by the Zoning Section of the Department of Planning and Economic and Community and Development prior to sign installations. *NOTE: Signage, as proposed, does not meet Chapter 31, Madison General Ordinances.*

24. A buffer area at least six (6) feet in width and initially landscaped with four (4) foot tall evergreen shrubs to ultimately form a continuous hedge not less than five (5) feet nor more than six (6) feet in height shall be established and maintained at any rear or side lot line abutting a residence district. A decoratively designed solid wall or fence providing a visual screen may be substituted for the evergreen hedge. *Meet with zoning staff to establish a permanent physical barrier that will prevent encroachment into adjacent lots or public ways.*
25. Any exterior lighting to illuminate the premises shall be arranged so as not to reflect rays of light into adjacent lots nor shine rays of light directly into the streets.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have any questions about the following 9 items:**

26. The applicant shall prevent encroachment onto the public sidewalk by barriers of some type set 2 ft. back from the sidewalk, which shall be noted on the face of the revised plans.
27. The applicant shall not improve the right-of-way area as proposed unless City of Madison Real Estate Division approves encroachment prior to plans being submitted for approval.
28. The applicant shall indicate the type of bicycle racks to be installed outside by the entrance of the building.
29. Final plans submitted for approval shall be scaled at 1' = 20', and shall show the following:
  - a) items in the terrace as existing (e.g., signs and street light poles)
  - b) types of surfaces
  - c) one contiguous plan showing all easements, all pavement markings, building placement, and stalls
  - d) adjacent driveway approaches to lots on either side and across the street
  - e) signage
  - f) percent of slope
  - g) vehicle routes
  - h) dimensions of radii, aisles, driveways, stalls including the two (2) ft. overhang
  - i) caps, underground storage tanks, and fully dimensioned gas pumps on the plans as to comply with the following: Gasoline pumps or similar facilities served by such driveways and approaches shall be a minimum of 15 feet from the right-of-way line of the street
30. Adequate space will be provided for a gas tank semi-trailer to access, park and circulate on-site in a forward manner and not interrupt/affect the normal operation of the gas station and convenience store. The applicant shall demonstrate the tank semi-truck ingress and egress movement to site.
31. "No Left Turns" signs shall be installed at a height of seven (7) feet to the bottom of the first sign at the driveway approaches. 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.
32. The Developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing, pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
33. The developer shall be financially responsible for public signing and marking related to the development that may be required by the City Traffic Engineer.

**Please contact Scott Strassburg, Fire Department, at 261-9843 if you have questions regarding the following 2 items:**

34. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: The site plan shall clearly identify the location of all fire lanes.
35. 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 hose lays off the truck*. See MGO 34.20 for additional information and show minimum 2 hydrants on site plan.

**Please contact my office at 266-5974 if you have questions about the following 4 items:**

36. The applicant shall provide an engineer's report to the City of Madison Building Inspection Unit verifying the structural integrity of the existing canopy and a detailed plan for improvements to the canopy to be approved by staff, *or* plans for a new canopy meeting standards outlined for Urban Design District 5 to be approved by staff.
37. That the final set of plans show dimensions of buildings, sidewalks, vehicle and bicycle parking spaces, the trash area, and the location of high-pressure air pumps and other similar services, if any.
38. That the elevations in the final plan set include the trash area enclosure in the north central portion of the parcel, and that its design complements that of the main building.
39. That the Urban Design Commission review final site plans, including building elevations, exterior lighting, landscaping, signage, and parking plans, and *grant final approval* for this proposal as a conditional use in Urban Design District 5. In their review, the Urban Design Commission is asked to consider the following
  - a) Inclusion of a new or remodeled canopy to complement the architecture of the proposed building.
  - b) The use of a fence in the northwest portion of the property to screen adjacent residential property from automobile lights.
  - c) The use of landscaping, large rocks, or a low brick wall along the western edge of the property to dissuade patrons from driving over the terrace and curb onto Kedzie Street.

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

1. 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.
2. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.
3. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
4. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition approval.
5. This demolition approval shall become null and void one year after the date of the Plan Commission meeting unless the demolition is underway, or a valid demolition permit is issued and demolition commenced within six months of the issuance of said permit. 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 conditional use 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 conditional use.

2702 E. Washington Ave  
June 17, 2008  
Page 6

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 I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP  
Planner

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

---

*Signature of Applicant*

cc: Pat Anderson, Assistant Zoning Administrator  
Janet Dailey, City Engineer's Office  
John Leach, Traffic Engineering Division  
George Dreckmann, Recycling Coordinator  
Scott Strassburg, City Fire Department  
Al Martin, Urban Design Commission Staff

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input checked="" type="checkbox"/>	Recycling Coordinator (R & R)
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" 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: