

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
of April 4, 2007**

RE: I.D. # 06073, Demolition Permit and Conditional Use – 4622 E. Washington Avenue

1. Requested Action: Approval of a demolition permit to allow an existing one-story restaurant located at 4622 E. Washington Avenue to be razed and a new multi-tenant retail building to be constructed, and a conditional use for an outdoor seating area to serve a restaurant tenant in the new building.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Section 28.09 (3)(d) identifies outdoor eating areas as conditional uses in C2 zoning. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicants: Robert G. Feller, PLANNING Design Build, Inc.; 901 Deming Way, Suite 102; Madison; Judy Faust, representative.

Property Owner: High Life, LLC; 2275 Deming Way; Middleton.
2. Development Schedule: The applicants wish to proceed as soon as all necessary approvals have been granted, with completion of the new building anticipated in December 2007.
3. Location: Approximately 1.2-acres generally located on the north side of E. Washington Avenue near the intersection of Zeier Road; Aldermanic District 17; Madison Metropolitan School District.
4. Existing Conditions: A one-story, approximately 6,150 square-foot restaurant, zoned C2 (General Commercial District).
5. Proposed Land Use: A one-story, approximately 10,600 square-foot multi-tenant commercial building, which will contain a restaurant tenant with an outdoor seating area.
6. Surrounding Land Use and Zoning:
North: Bishops Hill Apartments, zoned PUD-SIP

South: Anchor Bank, Applebee's restaurant; Carlos O'Kelly's restaurant; East Towne Mall, zoned C3 (Highway Commercial District);

East: Eau Claire Mattress Company, zoned C2 (General Commercial District);

West: International House of Pancakes restaurant; Eddie Z's Blinds & Drapery, zoned C2.

7. Adopted Land Use Plan: The Comprehensive Plan identifies the subject site and other business on the north side of E. Washington Avenue for general commercial uses.
8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the demolition standards of Section 28.04 (22) and the conditional use standards of Section 28.12 (11).

ANALYSIS, EVALUATION & CONCLUSION

The applicant wishes to demolish the existing, approximately 6,150 square foot Ponderosa restaurant located on the north side of E. Washington Avenue near the intersection of Zeier Road in C2 commercial zoning. The restaurant sits approximately nine feet from the northeasterly side property line of the site, with the building entrance located off the southwesterly side wall facing a 91-space surface parking lot. Access to the site is currently provided from two drive entrances from a frontage road that extends along the front of this site and the adjoining properties parallel to E. Washington Avenue (US Highway 151). The exterior of the structure is sided with beige-colored vertical wood siding with green wood accents. A trash enclosure and service area for the building is located along the rear wall in the northern tip of the site.

The existing restaurant will be replaced by a new multi-tenant commercial building that will contain approximately 10,600 square feet of floor area and up to five tenant spaces. The proposed building will be sited along the front property line parallel to the E. Washington Avenue frontage road, with parking for 70 automobiles to occupy the remainder of the site generally northwest of the new building. Access to the rear parking area will be provided by the easternmost of the two existing drive entrances to the frontage road. The applicant proposes removal of the second drive entrance, which is located very close to an outlet from the frontage road onto E. Washington Avenue at Zeier Road. A detached trash enclosure is shown in the rear corner of the parking lot. A significant landscaping plan was submitted with the building plans that indicate the surface parking lot will be well screened using a variety of planting materials, including various species of canopy trees along the perimeter and river birch in the parking lot islands, which will also include bioretention areas.

The multi-tenant building will be "four-sided" and include architectural orientation to both the parking lot, where the main entrances of all of the tenant spaces will be located, as well as E. Washington Avenue, where doors to four of the five possible spaces are shown, though it is unclear if all of those doors will be active public entrances. The building will be sided with a combination of brick and cultured stone veneer and EIFS and will be accented with a mixture of metal canopies and fabric awnings. The end tenant spaces will include extended parapets and use of clerestories to heighten the appearance of the building.

Due to the grade of the site, the new building will sit approximately 3-4 feet above the public sidewalk that parallels the frontage road, with a concrete patio and block retaining wall shown along most of the E. Washington Avenue façade. A stairwell from the sidewalk up to the raised terrace area is shown. The applicant proposes to make the raised terrace area, which also extends along side wall parallel to the driveway, available for outdoor seating areas for future tenants, which will include at least one restaurant at this time, a Chipotle Mexican Grill location. Specific plans for the Chipotle outdoor eating area (seating locations, etc.) have not been provided. However, the Planning Division believes that it would be appropriate for the Plan Commission to grant the approval of this eating area as part of the consideration of the demolition permit due to the distance between the patio area and the nearest residential properties, which are over 400 feet northwest and uphill from the proposed building. To that end, staff does not feel that a restriction on amplified music is warranted for this outdoor eating area.

The applicant has provided pictures of the interior and exterior of the building to be demolished and staff has conducted a windshield survey of the site. The existing 6,150 square-foot building appears to be in average condition for a building of its age. Staff has no information that would indicate that the building is not structurally sound or capable of being rehabilitated or repaired and has not conducted a formal inspection of the interior. The applicant indicates that the thematic treatment of the exterior and interior programming make adaptive reuse of the building infeasible. However, staff believes that the proposed redevelopment of the property allows this site to continue to be economically productive for the foreseeable future and should substantially comply with the demolition standards. Staff believes the proposed building to be a significantly better utilization of the site that features a well-designed building placed closer to the street and sidewalk that should begin to improve the built environment along the north side of E. Washington Avenue, which currently features a number of auto-oriented commercial building businesses set back from the right of way. While the primary storefront entrances will face toward the parking lot, the proposed building should have a better architectural relation to E. Washington Avenue than what currently exists. The fronting of the building along the street should also be enhanced by the raised terrace area, which although the main tenant entrances will face the parking lot, should result in a modicum of activity being brought out to the street by use of the terrace for outdoor service areas such as is already proposed in one of the spaces.

The subject site is located within Urban Design District 5, which requires that the Urban Design Commission review the demolition, new construction, and any future signage. The Urban Design Commission reviewed the demolition and proposed building on March 21, 2007 and granted final approval (see attached report).

RECOMMENDATIONS

The Planning Division recommends that the Plan Commission find the demolition standards are met and **approve** the demolition of an existing 6,150 square-foot restaurant and allow construction of a new 10,600 square-foot multi-tenant commercial building at 4622 E. Washington Avenue, and that the Plan Commission find that the conditional use standards are met for a proposed outdoor eating area to serve a proposed restaurant tenant subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant submit a revised site plan (Sheet A100) at the time of final signoff that includes full dimensions of the building setbacks, typical parking stalls, drive aisles and parking lot and trash enclosure setbacks from adjacent properties, per staff approval.
3. That the applicant submit architectural elevations of the trash enclosure for Planning staff approval, including dimensions and building materials.

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION

PRESENTED: March 21, 2007

TITLE: 4622 East Washington Avenue –
Demolition and New Construction of a
Retail/Commercial Building in Urban
Design District No. 5. 17th Ald. Dist.
(05673)

REFERRED:

REREFERRED:

REPORTED BACK:

AUTHOR: Alan J. Martin, Secretary

ADOPTED:

POF:

DATED: March 21, 2007

ID NUMBER:

Members present were: Paul Wagner, Chair; Ald. Noel Radomski, Lou Host-Jablonski, Todd Barnett, Bruce Woods, Lisa Geer.

SUMMARY:

At its meeting of March 21, 2007, the Urban Design Commission **GRANTED FINAL APPROVAL** of demolition and new construction of a retail/commercial building in Urban Design District No. 5 located at 4622 East Washington Avenue. Appearing on behalf of the project were Robert Feller and Alex Weis. The revised plans as presented featured the following:

- Issues with an alternative plan reorienting surface parking perpendicular to the rear elevation of the building were addressed with revisions including alterations to pedestrian access, the relocation of curb cuts into beds to provide drainage into tree islands/bioswales areas, the introduction of water tolerant plantings and trees within these areas and the addition of additional tree islands including shade trees. The applicant noted overall reduction in hardscape with this plan alternative.
- The elimination of EIFS on a segmented arch in favor of brick.
- The revised landscape plans also included a redo of the landscape worksheet including appropriate point assignment for upgraded larger canopy trees and additional landscaping amenities.
- The front elevation of the building relevant to the Chipotle tenant space was corrected to correctly show brick detailing of columns, in addition to the alignment of a doorway shown on the south elevation of the tenant space as it relates to the location on the site plan relevant to the patio/outdoor eating area.

Following the presentation, the Commission noted the following:

- The alternate plan still needs address of the 75% vegetative cover requirement for tree islands.
- The plant materials within bioretention areas are still not clarified; need to be wet tolerant plantings.
- Eliminate the high pressure sodium fixtures in the lighting schedule in favor of metal halide.
- Need more shade trees in the rear (four additional); to relive the issue that the overall landscape worksheet is light in points with the provision of the additional shade trees adjacent to the residential at the rear at a minimum of 1-1/2" caliper minimum.

ACTION:

On a motion by Geer, seconded by Barnett, the Urban Design Commission **GRANTED FINAL APPROVAL**. The motion was passed on a unanimous vote of (6-0). The motion required the address of the above stated concerns with staff approval.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 5, 6, 6, 6.5, 7 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 4622 East Washington Avenue

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	6	6	5	4	-	6	7	6
	7	7	-	-	-	-	-	7
	6	6	6	6	6	7	7	6.5
	-	-	-	-	-	-	-	7
	6	5	5	5	-	5	6	5
	6	6	5	6	-	-	7	6

General Comments:

- Lighting must be metal halide.
- Needs more landscaping.
- Bioretention areas should have wet prairie perennials within and curb cuts to allow for water into areas.
- Good reuse of site.



Department of Public Works
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.
City Engineer

City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
608 264 9275 FAX
608 267 8677 TDD

Deputy City Engineer
Robert F. Phillips, P.E.

Principal Engineers
Michael R. Dailey, P.E.
Christina M. Bachmann, P.E.
John S. Fahrney, P.E.
David L. Benzschawel, P.E.
Gregory T. Fries, P.E.

Operations Supervisor
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

GIS Manager
David A. Davis, R.L.S.

DATE: March 15, 2007

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 4622 East Washington Avenue Conditional Use and Demolition

The City Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

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| <ol style="list-style-type: none"> 1. Any damage to street pavement will require restoration in accordance with City of Madison Patching Criteria. 2. The plans shall be revised to reflect individual addresses provided to Judy Faust on February 16, 2007. These unit addresses provided were 4620, 4622, 4624 and 4628 East Washington Avenue. |
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GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.

Name: 4622 East Washington Avenue Conditional Use and Demolition

General

- 1.1 The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 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.
- 1.6 The site plan shall include a full and complete legal description of the site or property being subjected to this

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application.

Right of Way / Easements

- 2.1 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.2 The Applicant shall Dedicate a _____ foot wide strip of Right of Way along _____.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping _____ feet wide along _____.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement _____ feet wide from _____ to _____.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from _____ to _____.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along _____.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along _____. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] _____ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along _____ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees.
- 3.8 The Applicant shall make improvements to _____ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) _____.
- 3.9 The Applicant shall make improvements to _____. The improvements shall consist of _____.
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the

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construction or any sidewalk and curb and gutter which 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.

- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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 WDNR is required.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
 - Detain the 2 & 10-year storm events.
 - Detain the 2, 10, & 100-year storm events.
 - Control 40% TSS (20 micron particle).
 - Control 80% TSS (5 micron particle).
 - Provide infiltration in accordance with NR-151.
 - Provide substantial thermal control.
 - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to sign-off.

- 4.10 The plan set shall be revised to show more information on proposed drainage for 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.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 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 the following data, each on a separate layer name/level number:

- a) Building Footprints
- b) Internal Walkway Areas
- 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) Lot lines
- g) Lot numbers
- h) Lot/Plat dimensions
- i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- 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 if applicable planting plans).

- 4.15 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 or printed output shall be scanned to a PDF file and provided.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

Utilities General

- 5.1 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.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment

of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

Sanitary Sewer

- 6.1 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.
- 6.2 All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size and alignment of the proposed service.



Traffic Engineering and Parking Divisions

David C. Dyer, P.E., City Traffic Engineer and Parking Manager

Suite 100
215 Martin Luther King, Jr. Boulevard
P.O. Box 2986
Madison, Wisconsin 53701-2986
PH 608 266 4761
TTY 866-704-2315
FAX 608 267 1158

March 26, 2007

TO: Plan Commission

FROM: David C. Dyer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **4622 East Washington Avenue – Demolish/Conditional Use – New Building +/- 10,588 sq ft Multi-Tenant Building**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The area should be reviewed with and change in occupancy or land use. The service road has limit access to E. Washington Ave. may require future improvements with any redesign of E. Washington Ave. The Plan Commission should place a restriction shall be **“All Future Land Uses shall be Conditional Uses to be review and approved by the Plan Commission.”**
2. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall contact Lisa Stern, Wisconsin Department of Transportation (608-246-5635), with site plans sets for review and approval. The applicant shall return a set of site plans or letter with WDOT-approved copies to the City of Madison Traffic Engineering Division.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

3. None

GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

4. 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, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side of the property, 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'.

5. A "Stop" sign shall be installed at a height of seven (7) feet at the driveway 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.
6. The applicant should show the dimensions for proposed parking stalls' items B, C, D, E, and F, for 90 degree angle parking 9 ft or wider parking spaces and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2.
7. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
8. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.
9. 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.
10. 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 Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Judy M. Faust
Fax: 608-836-5818
Email: judy.faust@planningdesignbuild.com

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: March 21, 2007

To: Plan Commission

From: Kathy Voeck, Assistant Zoning Administrator

Subject: 4622 E Washington Ave, Demo and Conditional Use

Present Zoning District: C-2

Proposed Use: Demolish Ponderosa restaurant and build a new retail building

Conditional Use: 28.04(22) Demolition of a principal building requires Plan Commission approval. 28.09(3)(d)2 Outdoor dining areas are a conditional use.

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE.**

GENERAL OR STANDARD REVIEW COMMENTS

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 of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. **Show signage at the head of the stalls.** Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. **Show 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.**

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. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. 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' 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 .10 watts per square foot.
5. Show the locations of outdoor eating areas on the final site plans. Show the outside seating plan.
6. Show addresses of the retail units on the site plan. Contact Lori Zenchenko 266-5952.

ZONING CRITERIA

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq. ft.	52,000 sq. ft.
Lot width	50'	200'
Usable open space	n/a	n/a
Front yard	0'	adequate
Side yards	0'	adequate
Rear yard	10'	adequate
Floor area ratio	3.0	less than 1.0
Building height	--	1 story

Site Design	Required	Proposed
Number parking stalls	15 retail (4,576 sq. ft.) 54 restaurants 180 capacity 69 total	70
Accessible stalls	3	4 (1)
Loading	n/a	n/a
Number bike parking stalls	7	(2)
Landscaping	Yes	(3)
Lighting	No	(4)

4622 E Washington Avenue
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Other Critical Zoning Items	
Urban Design	Yes
Historic District	No
Landmark building	No
Flood plain	No
Utility easements	No
Water front development	No
Adjacent to park	No
Barrier free (ILHR 69)	Yes

With the above conditions, the proposed project **does** comply with all of the above requirements.



Department of Planning & Development
 Planning/Inspection/Real Estate/Community & Economic Development
 Mark A. Olinger, Director

Bradley J. Murphy
 Planning Unit
 215 Martin Luther King, Jr. Boulevard
 P.O. Box 2985
 Madison, WI 53701-2985
 (608) 266-4635

REVIEW REQUEST FOR:

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

4622 EAST WASHINGTON AVENUE
 DEMOLISH RESTAURANT AND BUILD NEW
 RETAIL BUILDING
 HIGH LIFE, LLC / JUDY M. FAUST - PLANNING, DESIGN BUILD

(11)

PLANNING UNIT CONTACT: TIM PARKS

RETURN COMMENTS BY: 26 MARCH 2007

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: judy.faust@planningdesignbuild.com Fax: 836-5818

Date Submitted: 14 FEBRUARY 2007 Plan Commission: 09 APRIL 2007

Date Circulated: 26 FEBRUARY 2007 Common Council: _____

CIRCULATED TO:

- ZONING
- FIRE DEPARTMENT
- PARKS DIVISION
- TRAFFIC ENG.
- CITY ENG. - GEBERT
- CITY ENG. - PEDERSON
- WATER UTILITY
- CDBG - CONSTANS
- REAL ESTATE - EKOLA

- DISABILITY RIGHTS
- POLICE DEPT. - THURBER
- CITY ASSESSOR - SEIFERT
- MADISON METRO - SOBOTA
- BOARD OF EDUCATION C/O SUPT.
- PUBLIC HEALTH - SCHLENKER
- NEIGHBORHOOD ORGANIZATION

- ALD. ROSAS DIST. 17
- MADISON GAS & ELECTRIC
- ALLIANT ENERGY
- A T & T
- T D S
- MT. VERNON TELE

Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.

One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.

The above is located in your district. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.

The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.

RETURN COMMENTS TO: PLANNING UNIT, DEPARTMENT OF PLANNING & DEVELOPMENT

NO COMMENTS / YOUR COMMENTS:

No objection - Saty, R