

**PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT**

June 13, 2008

RE: I.D. #10876, Demolition and Conditional Use Permit – 2702 East Washington Avenue

1. Requested Action: Approval of a demolition permit for an automobile service station convenience store and construction of a new convenience store/office at 2702 East Washington Avenue in C2 (General Commercial District) zoning. In C2 zoning, automobile service stations are conditional uses.
2. Applicable Regulations: Section 28.04 (22) provides the guidelines and regulations for the approval of demolition permits. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses. Automobile service station uses in C2 zoning are governed by Section 28.09 (2)(d).
3. Report Prepared By: Heather Stouder, AICP, Planner

GENERAL INFORMATION:

1. Applicant & Property Owner: Farooq Shahzad, 3505 E. Washington Ave.; Madison
Agent: John Sutton, Sutton Architecture; 104 King St.; Madison
2. Development Schedule: The applicant wishes to begin demolition in spring 2008 and complete new construction in summer 2008.
3. Parcel Location: A 13,470 square-foot parcel generally located on the north side of East Washington Avenue between Kedzie Street and Pawling Street; Aldermanic District 15; Madison Metropolitan School District.
4. Existing Conditions: The site is developed with a vacant, fire-damaged convenience store in conjunction with an automobile service station, zoned C2 (General Commercial District).
5. Proposed Use: A newly constructed convenience store /office, and reuse of underground fuel infrastructure and the canopy above the fuel-pumping area.
6. Surrounding Land Use and Zoning:
North: Two-family residence (209 Kedzie Street) and Wisconsin Telephone Company (215 Kedzie Street) both zoned R4 (General Residence District).
South: Across East Washington Avenue, the Hawthorne Branch of the Madison Public Library and retail uses (2705 East Washington Avenue), surface parking lot (2661 East Washington Avenue), and fast food restaurant (2655 East Washington Avenue) zoned C2 (General Commercial District).
East: Payday loan business (2722 East Washington Avenue) zoned C2 (General Commercial District).
West: Across Kedzie Street, single-family and two-family residences zoned R4 (General Residence District).

7. Adopted Land Use Plan: The Comprehensive Plan identifies this area for general commercial uses (GC). The Emerson East-Eken Park Neighborhoods Plan, adopted in 1998, recommends physical improvements along East Washington Avenue, and continued C2 (General Commercial) zoning for this particular area.
8. Environmental Corridor Status: This property is not located within a mapped environmental corridor.
9. Urban Design District: This property is in Urban Design District 5.
10. Public Utilities & Services: This 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).

PRIOR APPROVALS:

On May 21, 2008, the applicant received *initial approval* from the Urban Design Commission for the proposed conditional use in Urban Design District 5 (see attached report). Final approval from the Urban Design Commission is required before the demolition permit can be issued.

ANALYSIS:

The applicant is requesting approval to demolish a convenience store and shed at a vacant automobile service station to build a new convenience store and resume automobile service and related sales.

Existing Conditions

The subject site is 2702 East Washington Avenue, located on the north side of East Washington Avenue between Kedzie Street and Pawling Street in C2 commercial zoning. The property is an approximately 170-foot wide and 80-foot deep irregularly shaped parcel with 13,470 square feet of area. The existing one story building, constructed in 1964, has 750 square feet of retail space. It is setback approximately 33 feet from the front lot line and 5 to 20 feet from the irregularly shaped rear lot line. The western side yard is approximately 50 feet, and the eastern side yard is nearly 85 feet. A small shed associated with the building currently sits within the footprint of the proposed convenience store. A 1,900 square foot canopy is positioned in front of the existing building over space for three fuel pumps, and abuts the front property line.

As evidenced by a series of photos submitted with the application, there is extensive fire damage to exterior walls of the existing building, and windows and doors are currently boarded. The building is proposed to be demolished, but the applicant is proposing to reuse the existing canopy, underground fuel tanks, and fuel pump infrastructure. While not damaged by fire, it appears that the canopy may have structural deficiencies, but requests for an engineer's report verifying its structural integrity have not yet been addressed. The Wisconsin DNR and Dept. of Commerce formerly regulated the site after a Leaky Underground Storage Tank (LUST) was reported in the late 1990's. As of January 2005, clean up and replacement of the tanks was

complete, and the regulatory activity ceased. Existing underground tanks are presumed to be adequate and fully functioning.

Building Design

Plans submitted with this demolition request propose construction of a new building in the northeast portion of the parcel to include a convenience store, an office, and a small take-out restaurant with a walk-up window. The 2,000 square foot building as proposed is essentially a one-story building, but has a small, square two-story component at the entrance facing East Washington Avenue. Submitted floor plans indicate that the first floor would house a small kitchen and service area for the walk-up restaurant, two restrooms, a storage room, and a convenience store area with clerk space near the entrance. The 144 sq. ft. second story is to be used as an office, accessible by a spiral staircase from the clerk area below.

Proposed exterior materials on the south, east, and west sides of the building include a masonry base, dark colored brick middle, a band of corrugated metal siding around the top of the first floor, and aluminum clad windows and doors. Corrugated metal siding is proposed for the entire first floor elevation on the north side (back) of the building facing the Wisconsin Telephone Company building.

Site Plan

Two vehicle access points to East Washington Avenue would be maintained in their current locations. The applicant indicates that parking for five (5) automobiles and seven (7) bicycles would be provided near the entrance of the building, although the location and type of bicycle parking racks is not specified, and only four (4) automobile parking spaces are shown on submitted plans. A new sidewalk would be constructed through the northern portion of the property linking the entrance of the building and Kedzie Street to the west. Pedestrian access to the entrance would also be provided from East Washington Avenue. Trash receptacles would be placed southwest of the building in a space enclosed with a wooden fence, and should be shown on elevations submitted with final plans. The location of high-pressure air pumps and other similar automobile services is unclear on submitted plans. Such facilities must be accurately reflected on final plans, and should not impede smooth vehicle circulation throughout the site.

EVALUATION:

This portion of the East Washington Avenue corridor currently contains a mix of retail, institutional, service, and fast food establishments, many of which are primarily auto-oriented in nature. Recent improvements within the right-of-way and on nearby properties have improved aesthetics, safety, and pedestrian connectivity along the corridor. Assuming the Union Corners development moves forward in the near term, this area will soon become a more significant node of mixed-use activity.

Area residential neighborhoods north and south of East Washington Avenue consist largely of single-family and two-family homes, with occasional multifamily buildings, institutions, and commercial uses. Since there are over 650 dwelling units within a quarter mile of the site, the store and restaurant provide opportunities for customers within walking distance, as well as those purchasing fuel, to purchase convenience items.

Staff concerns relate not to the proposed new building, but to the following three items: the structural integrity and aesthetic impacts of the existing canopy, adequate screening of automobile lights from the residential property to the north, and the risk of vehicles exiting over the terrace and curb onto Kedzie Street as has occurred in the past. First, a new canopy constructed of high quality materials to complement the new store would significantly improve the visual impact of the site on the East Washington Avenue corridor. At a minimum, staff suggests that the Plan Commission make a condition of approval an engineer's report verifying the structural integrity of the canopy. Assuming the canopy is structurally sound, staff strongly suggests improvements to bring the canopy up to a design standard similar to that of the proposed building, including brick-wrapped pedestals, recessed lighting, and other enhancements. If the canopy is *not* structurally sound, staff suggests that the applicant propose a newly constructed canopy to be administratively approved by Planning Division and Urban Design Commission staff. Second, while staff agrees that the existing building is not ideally placed on the lot, it did function as a useful screen between automobiles turning into the site and the residential property to the north. Care should be taken to maximize the screening effect of landscaping features between the canopy and the property to the north. If practical, the applicant should also consider constructing a 4-6 ft. fence in the northwestern portion of the property to shield adjacent residents from automobile lights. Finally, there is a history on the site of patrons driving vehicles over the terrace and curb onto Kedzie Street. The applicant should consider the strategic use of landscaping (plantings and/or large rocks) or a low brick wall along the western edge of the property in order to prevent this in the future.

CONCLUSION:

Planning Division staff feels that the proposed convenience store as part of an automobile service station is not an inappropriate land use at this site. The siting and design of the new building, as well as the landscaping plan, greatly improve the relationship of the property to adjoining properties and East Washington Avenue. While reuse of the canopy and existing underground fuel infrastructure are positive concepts, caution must be taken to ensure that the canopy is structurally sound.

RECOMMENDATION:

The Planning Division recommends that the Plan Commission find that the demolition and conditional use standards can be met and **approve** demolition of the existing one-story structure and construction of a new convenience store, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant shall have a "reuse and recycling plan" approved by the Recycling Coordinator.
3. That the applicant provide a engineer's report to 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.

4. 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.
5. That the final plan set reconciles the number of vehicle parking stalls provided with the number required by applicable zoning regulations.
6. 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.
7. 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:
 - Inclusion of a new or remodeled canopy to complement the architecture of the proposed building.
 - The use of a fence in the northwest portion of the property to screen adjacent residential property from automobile lights.
 - 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.

AGENDA # 3

City of Madison, Wisconsin

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| REPORT OF: URBAN DESIGN COMMISSION | PRESENTED: May 21, 2008 |
| TITLE: 2702 East Washington Avenue – New Construction of a Gas Station/Convenience Store in UDD No. 5. 15 th Ald. Dist. (10250) | REFERRED: REREFERRED: REPORTED BACK: |
| AUTHOR: Alan J. Martin, Secretary | ADOPTED: POF: |
| DATED: May 21, 2008 | ID NUMBER: |

Members present were: Lou Host-Jablonski, Bonnie Cosgrove, Marsha Rummel, Jay Ferm, John Harrington, Richard Slayton, Richard Wagner, Todd Barnett and Bruce Woods.

SUMMARY:

At its meeting of May 21, 2008, the Urban Design Commission **GRANTED INITIAL APPROVAL** of new construction located at 2702 East Washington Avenue. Appearing on behalf of the project was John W. Sutton, project architect. The project under consideration provides for the demolition of a fire damaged structure to be replaced with a new gas station/convenience store including walk up service restaurant. According to Sutton, the plans provide for the utilization of the existing curb cuts along East Washington Avenue as recently approved, as well as the use and maintenance of the existing overhead gasoline island canopy. The new building features no EIFS on the structure, a buff colored prairie stone lower base and dark red brick, combined with horizontal corrugated siding in a clear anodized color appearance. The project provides for a small walk up restaurant with interior counter service. Following the presentation the Commission noted the following:

- Super job, like second story/mezzanine, lots of glass and landscaping.
- Question on roof water, roof pitch back to washstone bed for infiltration.
- Consider adding benches to the outside for additional outdoor eating within landscaped areas.
- Make walk up window more architecturally prominent.
- On plant list change major tree to reflect two as proposed, not six as noted.
- Change out barberry and spirea, challenge to find something native.
- Look at ornamental grasses for a more contemporary look.

ACTION:

On a motion by Harrington, seconded by Cosgrove, the Urban Design Commission **GRANTED INITIAL APPROVAL**. The motion was passed on a unanimous vote of (6-0). The motion required address of the above stated comments with final consideration of the project.

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 6, 6, 6 and 7.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 2702 East Washington Avenue

| | Site Plan | Architecture | Landscape Plan | Site Amenities, Lighting, Etc. | Signs | Circulation (Pedestrian, Vehicular) | Urban Context | Overall Rating | |
|----------------|-----------|--------------|----------------|--------------------------------|-------|-------------------------------------|---------------|----------------|--|
| Member Ratings | - | - | - | - | - | - | - | 6 | |
| | 6 | 6 | 5 | - | - | 6 | 6 | 6 | |
| | 6 | 6 | 5 | - | - | 6 | 7 | 6 | |
| | 6 | 6 | 6 | 6 | - | 6 | 6 | - | |
| | 7 | 7 | 5 | - | - | 8 | 7 | 7 | |
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General Comments:

- Nice gas station!
- This is a benchmark design for use type.
- Excellent layout of building and site elements/circulation.



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
1 866 704 2315 Textnet

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.
Gregory T. Fries, P.E.

Facilities & Sustainability
Jeanne E. Hoffman, Manager
James C. Whitney, A.I.A.

Operations Manager
Kathleen M. Cryan

Hydrogeologist
Joseph L. DeMorett, P.G.

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

Financial Officer
Steven B. Danner-Rivers

DATE: May 28, 2008
TO: Plan Commission
FROM: Larry D. Nelson, P.E., City Engineer
SUBJECT: 2702 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.)

1. The City Engineer reported in a letter dated December 23, 1997 to then owner's Attorney that the City of Madison had no interest in vacating the portion of Clyde A. Gallagher Replat dedicated right-of-way for East Washington Avenue adjacent to this site. Those City intentions remain, and the City Engineer suggests the owner 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. The existing parcel boundary represented on this site plan perpetuates apparent errors in the East Washington Avenue right-of-way as depicted on 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 of which the City of Madison could potentially lease to the applicant.
3. The owner shall install ballards or other features to prevent vehicle access to Kedzie Street as required by the City Traffic Engineer.

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: 2702 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 Submit a PDF of all floor plans to Lori Zenchenko lzenchenko@cityofmadison.com so that a preliminary interior addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshall.
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for the _____ Impact Fee District for Lot(s) _____ of the _____ Plat/CSM. The current rate is \$ _____ /1000SF for a total of \$ _____. The Developer shall select one of the following two options for payment of these fees:
 - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
 - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
 - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
 - b) All information shall transmitted to Janet Dailey by e-mail at jdailey@cityofmadison.com, or on a CD to:

Janet Dailey
City of Madison Engineering Division
210 Martin Luther King Jr. Blvd
Room 115
Madison, WI 53703
 - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

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.

- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
 - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
 - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
 - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
 - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
 - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
 - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
 - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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 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.
- 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.

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) off of new paved surfaces
- Control 80% TSS (5 micron particle) off of new paved surfaces
- Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
- Provide substantial thermal control.
- Provide oil & grease control from the first 1/2" of runoff from parking areas.
- Complete an erosion control plan and 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.

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 only 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) 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. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks,

parking/pavement during construction will require a new CAD file.

- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 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, invert elevation, and alignment of the proposed service.



Traffic Engineering and Parking Divisions

David C. Dryer, 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

June 5, 2008

TO: Plan Commission

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

SUBJECT: **2702 East Washington Avenue – Conditional Use / Demolition – Build Convenience Store**

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 applicant shall prevent encroachment onto public sidewalk by barriers some type set 2 ft back from sidewalk, which shall be noted on the face of the revised plans.
2. 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.

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

3. The applicant shall indicate the type of bicycle racks to be installed outside by the entrance to the building.

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

5. Providing adequate space for 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 ingressing and egressing movement to site.
6. The applicant shall show caps and underground storage tanks. The applicant shall show and dimension the 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.
7. "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.
8. 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.
9. 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: John Sutton
Fax: 255-1764
Email: suttonarch@sbcglobal.net

DCD: DJM: dm

**CITY OF MADISON
INTERDEPARTMENTAL
CORRESPONDENCE**

Date: June 16, 2008

To: Plan Commission
From: Patrick Anderson, Assistant Zoning Administrator
Subject: 2702 E Washington Avenue

Present Zoning District: C-2

Proposed Use: Demolish a convenience/gas store and build a new convenience/gas store (1,454 sq. ft.) with office space (256 sq. ft.) on second floor.

Conditional Use: 28.04(22) Demolition of a principal building requires Plan Commission approval. 28.09(2)(d)2 for fuel and are conditional uses.

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. The submitted plans reflect that the proposal is 1 parking spaces deficient of the required number of spaces for the proposed retail/office use. Please submit a parking stall reduction request application. The application shall be made to the Zoning Administrator.
2. Show (1) accessible parking stall that meet state required striping and signage as near the accessible entrances as possible. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide required accessible stalls striped per State requirements. A minimum of 1 of the stalls shall be a van accessible stalls 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. Highlight or call out the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance or elevator as possible. Show ramps, curbs, or wheel stops where required.

2702 E. Washington Ave.

June 16, 2008

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3. Provide **four** 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.**
4. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. This is in an Urban Design District. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Development prior to sign installations. Note: Signage, as proposed, does not meet Chapter 31 of the M.G.O.'s.
5. A buffer area at least six (6) feet in width and initially landscaped with four feet tall evergreen shrubs to ultimately form a continuous hedge not less than five (5) feet nor more than six (6) in height, shall be established and maintained at any rear or side lot line abutting a residence district. A solid wall or fence providing a visual screen and of decorative design 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.** 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.

ZONING CRITERIA

| Bulk Requirements | Required | Proposed |
|-------------------|----------------------------|----------------|
| Lot Area | 6,000 sq. ft. | 15,000 sq. ft. |
| Lot width | 50' | 100' |
| Usable open space | n/a | n/a |
| Front yard | 50' (cross access easement | adequate |
| Side yards | 0' | adequate |
| Rear yard | 10' | adequate |
| Floor area ratio | 3.0 | less than 1.0 |
| Building height | --- | 2 story |

2702 E. Washington Ave.

June 16, 2008

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| Site Design | Required | Proposed |
|----------------------------|----------|----------|
| Number parking stalls | 5 | 4 (1) |
| Accessible stalls | 1 | 1 (1) |
| Loading | n/a | n/a |
| Number bike parking stalls | 4 | (2) |
| Landscaping | Yes | (5) |
| Lighting | No | (5) |

| Other Critical Zoning Items | |
|-----------------------------|-----|
| Urban Design | Yes |
| Landmark building | No |
| Flood plain | No |
| Utility easements | No |
| Barrier free (ILHR 69) | Yes |

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

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.**