



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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P.O. Box 2985
Madison, Wisconsin 53701-2985
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January 15, 2013

Scott Faust
Boardwalk Investments, LLC
210 N. Bassett St., #100
Madison, WI 53703

RE: Approval of a demolition of an existing commercial building and a conditional use to construct a new multi-tenant commercial building with a drive through facility in the M1 (Limited Manufacturing) District.

Dear Mr. Faust:

At its January 14, 2013 meeting, the Plan Commission found the standards met and **approved** your demolition and conditional use requests for 1401 Emil Street, subject to the conditions below. In order to receive final approval of the demolition and conditional use, and for any necessary permits to be issued for your project, the following conditions shall be met:

Please contact me with questions regarding the following item:

1. At their January 14 meeting, members of the Plan Commission encouraged the applicant to allow for bicycles to utilize the drive through facility, noting that this is required under the new zoning code for all "vehicle access sales and service windows".

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following 15 items:

2. The easterly tenant address shall be 1401 Emil Street and the westerly tenant shall be 1403 Emil Street.
3. Recently completed Damon Rd / Emil St public street improvements by WisDOT did not identify any right-of-way acquisitions from, or access restrictions to, this property per WisDOT TPP 1206-01-21-4.01 recorded as Document No. 4764371.
4. The existing building on this site proposed to be razed crosses underlying platted lot lines. The proposed new building will cross the same underlying platted lot line. Current State building code and City enforcement requires the underlying platted lot line be dissolved by Certified Survey Map (CSM) prior to issuance of a building permit. A CSM will also better memorialize the existing property boundary and title which is a direct benefit to the property owner. Have a CSM prepared for submittal to City Planning. The CSM shall be approved by the City and recorded with the Dane County Register of Deeds prior to issuance of a building permit.
5. Sanitary lateral plug shall be in accordance with revisions to MGO Chapter 35 including additional fee for plugging at the main.

6. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
7. 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.
8. All work in the public right-of-way shall be performed by a City licensed contractor.
9. All damage to the pavement on Damon Road and Emil Street, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link:
<http://www.cityofmadison.com/engineering/patchingCriteria.cfm>.
10. The applicant shall demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
11. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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.
12. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: provide oil & grease control from the first 1/2" of runoff from parking areas.
13. 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 Misc. 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 izenchenko@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.

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).
15. 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. \$100 non-refundable deposit will cover for the cost of inspection of the plugging by City staff; and the remaining \$900 will cover 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>.
16. 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.

Please contact Pat Anderson of the Zoning Office at 266-5978 if you have any questions regarding the following 11 items:

17. Show addresses of tenant spaces on the final site plan pursuant to MGO Section 10.34(2). Place addresses of the building and number of units on the final plan sets. Address information can be obtained from Lori Zenchenko of City Engineering at (608) 266-5952.
18. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, Mr. George Dreckmann, prior to a demolition permit being issued.
19. MGO Section 28.12(12)(e) requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
20. The final plans shall show the setback dimensions from the nearest portion of the building to the property lines. Any deck/canopy/balcony/porch, if projecting from the principal building, shall show the dimension to the property line.
21. It appears that the existing lot line runs through the proposed building. Combine the lots to legally make one lot via a Certified Survey Map. A property line cannot go through a building without a fire wall down the lot line, pursuant to IBV Section 705.1.1. The CSM shall be approved before signoff on final plans.
22. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a lighting photometric plan, including cut sheets for fixtures, with the final plan submittal.
23. Provide a detailed landscape plan. Show species and sizes of landscape elements. Within 10' from driveway crossing of a street lot line, any landscaping/screening shall not exceed 2' in height for vision clearance. No landscape elements shall be maintained between the heights of 30 inches and 10 feet above the curb level within the 25' vision triangle of a street corner.
24. Bike parking shall comply with MGO Section 28.11. Provide a minimum of 3 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. 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. Moped parking must also be shown, if provided.

25. Meet all applicable State accessibility requirements, including but not limited to:
 - a) Provide the minimum required number of accessible stalls per ADA, striped per State requirements. One of these stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent to and on the passenger side.
 - b) Show signage at the head of the stalls.
26. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
27. A Planned Commercial site created after October 6, 1998 shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer, and Director of Planning and Development recorded in the Office of the Dance County Register of Deeds. An existing planned commercial site may not be changed without approval b the Traffic Engineer, City Engineer, and Director of Planning and Development or approval by the Plan Commission. Every planned commercial site shall front on a public street (MGO Section 28.04(24).

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following 2 items:

28. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
29. Please consider allowing Madison Fire Department to conduct training sequences prior to the demolition. Contact MFD Training Division to discuss possibilities - (608) 246-4587.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following 3 items:

30. The Madison Water Utility shall be notified to remove the water meters prior to demolition.
31. This property is not in a wellhead protection district.
32. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Scott Langer, Traffic Engineering at 266-5987 if you have any questions regarding the following 11 items:

33. The site plan shall provide the legal documents /cross access easements that the site relies on for providing /securing the use of the adjacent property.
34. The site plan shall be revised to provide a barrier between the contra-flow drive up lane /order board and the two-way driveway operations on Damon Rd.
35. The applicant shall provide a clear signing and marking plan for the site and adjacent property for review and approval by staff. It is not clear how the operations will impact the adjacent site's parking and facilities.
36. The parking stall closest to the pickup window and driveway on Damon Rd. may need to be removed.

37. The site shall clearly show a pedestrian connection from the site front door to the public sidewalk.
38. The applicant will need to demonstrate how the truck service will ingress and egress the site.
39. Any legal cross access easements and encumbrances on the site and lot shall be shown, and documents provided.
40. When the applicant submits final plans of one contiguous plan 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, showing all easements, all pavement markings, building placement, and stalls, 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'.
41. 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.
42. The applicant shall be required to provide any necessary easements for the installation of street lights, traffic signals, including control box, loops, hand-holes, markings and signing.
43. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible. If the internal street is to be public the developer shall provide an upfront capital fee for the annual upkeep and maintenance, to be determined by the Traffic Engineer.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816

Please now follow the procedures listed below for obtaining your permits:

1. Please revise your plans per the above conditions and submit **nine (9) copies** of a complete, fully dimensioned plan set to the Zoning Administrator for final staff review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting the demolition and conditional use permits.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP
 Planner

cc: Janet Dailey, City Engineering Division
 Eric Pederson, City Engineering Division
 Pat Anderson, Asst. Zoning Administrator
 Scott Langer, Traffic Engineering
 Bill Sullivan, Madison Fire Department
 Kay Rutledge, Parks Division

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition and conditional use permit.</p> <p>_____</p> <p style="text-align: center;"><i>Signature of Applicant</i></p> <p>_____</p> <p style="text-align: center;"><i>Signature of Property Owner (if not applicant)</i></p>

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (H. Stouder)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: