



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

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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February 23, 2010

John Bieno  
TJK Design Build  
634 W Main St.  
Madison, WI 53703

RE: Approval of the demolition of a portion of a commercial structure and a conditional use for the construction of a new addition with a drive-thru facility in the C2 (General Commercial) District.

Dear Mr. Bieno:

The Plan Commission, meeting in regular session on February 22, 2010 determined that the ordinance standards could be met and **approved** your client's request for a demolition permit and conditional use at 4518 Monona Drive. In order to receive final approval for the demolition permit and conditional use, the following conditions must be met:

**Please contact my office at 266-5974 with questions about the following five (5) items:**

1. Final plans submitted for staff review and approval shall include a second pedestrian path from the public sidewalk along Monona Drive to the existing commercial building on the southern portion of the lot. This will be similar to that which is proposed on the north portion of the lot.
2. The parking space shown on submitted plans just east of the drive-thru facility shall be removed on plans submitted for final review and approval by staff.
3. Prior to submitting final plans for staff review and approval, the applicant shall work with Planning and Zoning staff to specify the location and type of screening along northern and eastern property lines, as well as any desired trash enclosure on the site.
4. The applicant shall work with Building Inspection staff prior to submitting final plans to determine whether an additional window within the brick portion of the north elevation can be accommodated. If possible, the additional opening shall be provided in a revised elevation submitted for staff review and approval.
5. Prior to final approval by staff, a recycling and reuse plan for the portion of the building proposed for removal shall be submitted by the applicant and approved by the City's Recycling Coordinator, George Dreckmann ([gdreckmann@cityofmadison.com](mailto:gdreckmann@cityofmadison.com) 267-2626).

**Please contact Janet Dailey, City Engineering, at 261-9688 with questions about the following 13 items:**

6. The Applicant shall revise the site plan to show the proposed right-of-way on Monona Drive. Applicant shall delay all landscaping along Monona Drive until the reconstruction of Monona Drive is complete.
7. Tenant numbers are not allowed to be used for addresses. In accordance with 10.34 MGO – STREET NUMBERS: Submit a PDF plan for A-1.1 to Engineering Mapping Lori Zenchenko ([addressing@cityofmadison.com](mailto:addressing@cityofmadison.com)) to coordinate the development and implementation of an addressing plan for this site. If there are any changes pertaining to the location of any units, deletion or addition of any unit, or location of entrances 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 Marshal.
8. CAD files for this site were previously received from applicant on 23-DEC-2009. These files are sufficient for Engineering Mapping requirements, UNLESS any significant site changes are approved affecting this site. If site changes are made, transmit updated CAD files to Engineering Mapping attention Lori Zenchenko.

9. 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.
10. All work in the public right-of-way shall be performed by a City licensed contractor, as per MGO 16.23(9)(c)5 and MGO 23.01.
11. 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.
12. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well.

As this site is greater than one (1) acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>

13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - a) Control 40% TSS (20 micron particle) off of new paved surfaces.
  - b) Provide oil & grease control from the first 1/2" of runoff from parking areas.
  - c) 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 MGO Chapter 37.

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

14. 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 [addressing@cityofmadison.com](mailto:addressing@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 (POLICY and MGO 37.09(2) & 37.05(4))

15. 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. (POLICY and MGO 37.09(2)).

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).
16. 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. (POLICY and MGO 37.09(2))

17. 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>.
18. 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. (MGO 16.23(9)(d)(4))

**Please contact John Leach, Traffic Engineering at 267-8755 with questions about the following eight (8) items:**

19. The applicant shall indicate the type of City approved bicycle racks to be installed, and their locations. The bike racks should be located by the entrances to the buildings (Please contact Arthur Ross, City Traffic Engineering, at 266-4761 if you have questions regarding this item).
20. 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, adjacent driveway approaches to lots on either side, 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'.
21. The parking facility shall be modified to provide for adequate internal circulation for vehicles. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn-around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."
22. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
23. The applicant shall show dimensions for the proposed and existing parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in MGO Section 10.08(6)(b) 2. Signs and planting areas are to be excluded

from the rectangular stall areas, including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned.

24. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
25. The applicant shall modify driveway approaches to accommodate and match the proposed drive aisles.
26. 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 Pat Anderson, Zoning, at 266-5978 with questions about the following seven (7) items:**

27. Parking requirements for persons with disabilities must comply with MGO Section 28.11(3)6(m), which includes all applicable State accessible requirements, including but not limited to:
  - a) Provide a minimum of two 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.
28. Bike parking shall comply with MGO Section 28.11. Provide at least nine (9) 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. Provide a detailed drawing of bike stalls.
29. Lighting is required and shall be in accordance with MGO Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 fc at 10 ft from the adjacent lot line (see City of Madison lighting ordinance).
30. Signage approvals are not granted but the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31, Sign Code, and MGO Chapter 33, Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
31. Parking and loading shall comply with MGO Section 28.11(4). Provide one (1) 10' by 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
32. Provide a detailed landscape plan as required by MGO Section 28.12. Show species and sizes of landscape elements. Provide a landscape worksheet with the final plans that shown 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. Within 10' from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2' in height for vision clearance.
33. Pursuant to MGO Section 28.04(12)(c), where sites share a zoning district boundary with residential development, this development must provide effective 6'–8' high screening along the lot line of this commercial district adjoining a residential zoning district.

**Please Contact Scott Strassburg, Madison Fire Department, at 261-9843 with questions about the following two (2) items**

34. Provide fire apparatus access as required by IFC 503, 2009 edition, and MGO 34.03(17)34.19, as follows:
  - a) A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul de sac, 45 degree wye, 90 degree trr) at the end of a fire lane that is more than 150-feet in length. The fire lane turnaround is not 20 feet wide where it shows going behind the existing building.

Provide an approved turnaround. Call Scott Strassburg at (608) 261-9843 for any questions or assistance with this.

35. Provide fire apparatus access as required by IFC 503, 2009 edition, and MGO 34.03(17)34.19, as follows:
- a) The site plans shall clearly identify the location of all fire lanes.
  - b) Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
  - c) Provide a fire lane with the minimum clear unobstructed width of 20-feet.
  - d) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal, see [www.madisonfire.org](http://www.madisonfire.org) for a PDF.

**Please contact Dennis Cawley, Water Utility, at 261-9243 with questions about the following item.**

36. The Madison Water Utility shall be notified to remove the water meter prior to demolition. This property is not in a Wellhead Protection District. All wells on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

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

1. Please revise your plans per the above and submit **seven (7) copies** of a complete plan set to the Zoning Administrator for final staff review and comment.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting the demolition permit and conditional use permit.
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 demolition permit or conditional use permit, please contact the Zoning Administrator at 266-4551. If I may be of any further assistance, please do not hesitate to contact my office at 266-5974.

Sincerely,

Heather Stouder, AICP  
 Planner

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

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*Signature of Applicant*

- cc: Pat Anderson, Assistant Zoning Administrator  
 Janet Dailey, City Engineering  
 John Leach, Traffic Engineering  
 Scott Strassburg, Fire Department  
 George Dreckmann, Recycling Coordinator

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