



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

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

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May 3, 2011

Brad Koning  
Shulfer Architects  
1918 Parmenter Street, #2  
Middleton, WI 53562

RE: Approval of a demolition permit and conditional use for **4624 Monona Drive** to demolish an existing gas station and convenience store to allow construction of a new gas station and convenience store across from a city-owned park

Dear Mr. Koning:

The Plan Commission, meeting in regular session on May 2, 2011, determined that the ordinance standards were met and **approved** your client's requests for a demolition permit and conditional use to demolish an existing gas station and convenience store to allow construction of a new gas station and convenience store across from a city-owned park at 4624 Monona Drive. The conditionally approved plans were those provided with the meeting materials and agenda provided to the Plan Commission in advance of the May 2, 2011 meeting. In order to receive final approval of the demolition permit and the conditional use the following conditions must be met:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty (20) items:**

1. Coordinate proposed right-of-way changes to Monona Drive and Dean Avenue with City Engineering Principal Street Engineer Christy Bachmann (266-4095 or [cbachmann@cityofmadison.com](mailto:cbachmann@cityofmadison.com)).
2. The final Conditional Use plan set shall include accurate depiction of all right-of-way and lot lines.
3. The City will purchase the right of way which is required for the 2013 Monona Drive Reconstruction Project. The Applicant shall install new sidewalk on Monona Drive and Dean Avenue per the location and grade of the proposed 2013 plan. The City will reimburse the Applicant for the current set of "Rebate" rate for property owner installed sidewalk. The current rate is \$2.50 per square foot.
4. Curb cuts to the bio retention shall not be allowed. The storm sewer design shall be revised to prove a more effective drainage system with pipes and inlets.
5. Provide a copy of the property's WDNR closure document for BRRTS#03-13-002094. If you have questions on this condition please contact Brynn Bemis at 267-1986 or [bbemis@cityofmadison.com](mailto:bbemis@cityofmadison.com).
6. 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.

7. Value of sidewalk installation over \$5000. The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along Monona Drive and Dean Avenue.
8. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
9. The approval of this Conditional Use or PUD 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.
10. All work in the public right-of-way shall be performed by a City licensed contractor.
11. 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](mailto:dkahl@cityofmadison.com) or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
12. 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.
13. 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.
14. 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.
15. 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; and 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 Chapter 37 of the Madison General Ordinances.
16. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [izenchenko@cityofmadison.com](mailto:izenchenko@cityofmadison.com). The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD

(dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.

17. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
18. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; 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.
19. 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>.
20. 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>.

**Please contact Bryan Walker, Traffic Engineering, at 267-8754 if you have questions regarding the following two (2) items:**

21. 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 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'.
22. "Stop" and "No Left Turns" signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approach to Monona Drive and a "Stop" sign shall be installed at a height of seven (7) feet at the Dean Avenue 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.

**Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have questions regarding the following two (2) items:**

23. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
24. Coordinate underground storage tank removal and installation with Madison Fire Department Inspection Unit-Flammable and Combustible Tank Inspection Program:  
<http://www.cityofmadison.com/fire/prevention/inspection/combustible.cfm>

**Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following eight (8) items.**

25. 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 stall striped per State requirements. Required stall shall be a van accessible stalls 8' wide with an 8' striped out area adjacent.
  - b. Show signage at the head of the stall. 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 stall to the building. The stall shall be as near the accessible entrance or elevator as possible. Show ramps, curbs, or wheel stops where required.
26. Provide two 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.
27. 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.
28. NOTE: Submitted plans do not include elevation views of fuel island canopy. Usage of fuel island canopy for signage purposes will impact ability to place signs on building.
29. Lighting is required and shall be in accordance with City of Madison General Ordinances 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. The east side of the subject property abuts a private alley serving the commercial property to the north. Historically, the screening on the subject property has been used to satisfy the screening requirement pursuant to section 28.04(12)(c) between the commercially zoned area and the residential development to the east. As a condition of approval, where sites shares 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.
31. 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.
32. Sec 28.12(12)(e) of the Madison Zoning Ordinance 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.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have questions on the following item:**

33. 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 located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans and will not need a copy of the approved plans.

**Please contact my office at 267-1150 if you have questions on the following ten (10) items.**

34. That the dumpster and dumpster enclosure be relocated to a less conspicuous portion on the site, with the final location and details to be approved by Planning Division staff.
35. That the landscape plan be revised to provide additional evergreen plantings intermixed within the street-frontage planting bed to provide additional screening outside of the required vision triangle areas. Details shall be approved by staff.
36. That further details on the pedestrian sidewalk are proposed to indicate how this space is differentiated from the balance of the parking lot, for approval by Planning and Traffic Engineering staff.
37. That solid fencing of at least six in height feet be provided along the rear of the property line to provide screening from the nearby adjoining residential properties. If possible, retain the existing vegetation along this line. Fencing and vegetation shall be labeled on sign-off plans, for approval by staff.
38. That the applicant clarifies the elevation drawings to clearly and accurately note the proposed brick colors, for approval by staff. Staff is requesting that there be more contrast in the colors of brick than depicted on these plans.
39. That the south (East Dean Avenue) elevation be revised with further articulation. The revised plans shall include a larger window below the proposed transom window. Staff does not object to the utilization of spandrel glass or other similar treatment that is not pure vision glass, provided the final design details are approved by staff.
40. That additional windows are provided along west (Monona Drive) façade, for approval by staff.
41. That the height of the masonry on the canopy supports is raised above the height of the fuel dispensing machines for the purpose of improving the character of the canopy from the street.
42. That a lighting plan covering the entire property be submitted for staff approval.
43. That the hours of operation are from 5:30 am until 11:00 pm.

**No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

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

1. Please revise your plans per the above and submit **nine (9) copies** of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit.
3. This letter shall be signed by the applicant and property owner to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.

- 4. 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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit and conditional use permit.

If you have any questions regarding obtaining the demolition or conditional use approval, 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 267-1150.

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Dailey, Engineering Division  
John Leach, Traffic Engineering  
Pat Anderson, Ast. Zoning Administrator  
Bill Sullivan, Madison Fire Department  
George Dreckmann, Recycling Coordinator

I hereby acknowledge that I understand and will comply with the above conditions of approval for this demolition permit and conditional use.
_____
<i>Signature of Applicant</i>
_____
<i>Signature of Property Owner (if not the applicant)</i>

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<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: