



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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June 17, 2008

Jerry Bourquin
Dimension IV – Madison, LLC
6515 Grand Teton Plaza, Suite 120
Madison, Wisconsin 53719

RE: Approval of a conditional use permit for a drive through facility and outdoor eating area for a remodeled commercial building at 4302 East Washington Avenue.

Dear Mr. Bourquin:

The Plan Commission, meeting in regular session on June 16, 2008 determined that the ordinance standards could be met and **approved** your client's request for a conditional use permit to allow a drive through facility and outdoor eating area for a remodeled commercial building at 4302 East Washington Avenue. In order to receive final approval of the conditional use permit, the following conditions must be met:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following 17 items:

1. The applicant shall provide the City of Madison all recorded documentation of intended use (i.e. ownership, lease, joint driveway agreement, etc.) of the lands adjacent to this applicant's subject property. If the owner of the land for this submittal (East Edge, LLC) intends to purchase lands from the neighbor (Meles Madison, LLC), a Certified Survey Map shall be submitted to the City for approval and recording prior to plan sign-off.
2. Any damage to the pavement on Continental Lane shall require restoration in accordance with the City's Patching Criteria.
3. The construction of this building will require the 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.
4. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
5. The applicant shall replace all sidewalk and curb and gutter abutting the property that is either damaged by the construction or that 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.
6. All work in the public right-of-way shall be performed by a City licensed contractor.
7. The site plans shall be revised to show the location of all rain gutter down spout discharges.
8. 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.

9. 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.
10. 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.
11. The City of Madison is an approved agent of the Department of Commerce. Since this proposal 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 of 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: control 40% TSS (20 micron particle) off of new paved surfaces; provide oil and grease control from the first ½ inch of runoff from parking areas; and complete an erosion control plan and 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 signoff.
13. The plan set shall be revised to show more information on proposed drainage of 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.
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 access
 - 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, or parking/pavement during construction will require a new CAD file.

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. PDF submittals shall contain the following information:
 - a) Building footprints
 - b) Internal walkway access
 - 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 planting plans, if applicable)

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 of printed output shall be scanned to a PDF file and provided.

17. 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, Assistant Zoning Administrator at 266-4551 if you have any questions about the following 3 items:

18. If lighting is provided, it must comply with City of Madison outdoor lighting standards
19. Provide three (3) bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers, 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.*
20. The Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. As this site is within an Urban Design District, the Urban Design Commission and Zoning staff must approve signage. Sign permits must be issued by the Zoning Section of the Department of Planning and Economic and Community and Development prior to sign installations.
21. Final plans must meet all applicable State accessibility requirements, including but not limited to:
 - a) Required accessible stalls will be striped per State requirements. A minimum of one (1) of the stalls shall be van accessible, 8 ft. wide with an 8 ft. striped area adjacent to it.
 - b) Show signage at the head of the stalls. Accessible signs shall have a minimum of 60 inches between the bottom of the sign and the ground.
 - c) Highlight or call out the accessible path from the stalls to the building. That stalls shall be as near the accessible entrance as possible. Show ramps, cubs, or wheel stops where required

Please contact John Leach, Traffic Engineering, at 267-8755 if you have any questions about the following 11 items:

22. The applicant shall revise site plans showing the 50 ft. building setback, and ingress/egress easement for Lot 2 as noted on CSM 2325. The applicant shall need to modify the parking lot, landscaping, bike racks, and approach to accommodate "Future Right-of Way" and the egress/ingress 50 ft. easement for Lot 2 as noted on the CSM.
23. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall contact Lisa Stern, Wisconsin Department of Transportation (608-246-5635), with site plans sets for review and approval. The applicant shall return a set of site plans or letter with WDOT-approved copies to the City of Madison Traffic Engineering Division.
24. When site plans are submitted for approval, the developer shall provide a recorded copy of the joint driveway ingress/egress and crossing easements available to all lots in the project.
25. The applicant shall modify the sidewalk in front of the building to 7 to 8 ft. wide to accommodate the proposed vehicle 2 ft. overhang and 5 ft. sidewalk.

26. When the applicant submits final plans for approval, the applicant shall show the following on a scaled drawing at 1" = 20':
 - a) items in the terrace as existing (e.g., signs and street light poles),
 - b) type of surfaces,
 - c) existing property lines and addresses
 - d) one contiguous plan (showing all easements, all pavement markings, building placement, and stalls)
 - e) adjacent driveway approaches to lots on either side and across the street
 - f) signage
 - g) percent of slope
 - h) vehicle routes
 - i) dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
27. When site plans are submitted, they shall show the 50 ft. future street right-of-way and joint driveway ingress/egress and easements.
28. The applicant shall show the dimensions for proposed and existing parking stalls' to the drive-up 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 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. The applicant shall show the existing northerly and easterly parking spaces adjacent to the proposed site to be in accordance to M.G.O.
29. A "Stop" sign shall be installed at a height of seven (7) feet at all driveway approaches behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan. The applicant shall provide signage to secure the one-way operation of drive-up window.
30. The Access Rd. is a special design "Street Type Entrance" as approved. The applicant shall provide a 1" = 20' detail drawing of the "Street Type Entrance" on plan sheets showing signage, epoxy white lined cross walks, stop bar and pavement markings details to be approved by the City Traffic Engineer. In addition, a note shall be shown on the plan, "*ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTAINED BY THE PROPERTY OWNER.*"
31. 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.
32. The City Traffic Engineer may require public signing and marking related to the development, for which the developer shall be financially responsible.

Please contact Scott Strassburg, Fire Department, at 261-9843 if you have questions regarding the following item:

33. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path *traveled by the fire truck as the hose lays off the truck*. See MGO 34.20 for additional information and show minimum 2 hydrants on site plan.

Please contact my office at 266-5974 if you have questions about the following 4 items:

34. Final plans submitted for administrative review by Planning and Urban Design Commission staff shall clarify the use and design of the mezzanine, as well as any updates to types and colors of proposed exterior materials. Acceptable changes to exterior materials include a reduction in the number of colors of brick and changes to make the north elevation more similar to the others.
35. The applicant must submit a full site plan, to be approved by staff, including the Crowne Plaza Hotel parcel showing cross access easements and the proposed vehicle circulation pattern for the drive-through facility.

36. Before a permit can be issued related to this application, a *minor alteration to a conditional use* is required for changes to the parking lot of the Crowne Plaza Hotel parcel, 4402 East Washington Avenue.

Please now follow the procedures listed below for obtaining your 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 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 to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
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. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use 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 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.

Signature of Applicant

cc: Pat Anderson, Assistant Zoning Administrator
Janet Dailey, City Engineer's Office
John Leach, Traffic Engineering Division
Scott Strassburg, City Fire Department
Al Martin, Urban Design Commission Staff

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Division (H. Stouder)	<input 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 checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: