



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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January 17, 2008

Pete Hosch
Hy-Vee, Inc.
5820 Westown Parkway
West Des Moines, Iowa 50266

RE: Approval of a major alteration to an existing shopping center in excess of 25,000 square feet to allow renovation of an existing retail building and the addition of two drive-up windows for a new grocery store tenant at 3801 E. Washington Avenue. The subject site is also a planned commercial site.

Dear Mr. Hosch:

The Plan Commission meeting in regular session on January 14, 2008 determined that the ordinance standards could be met and **approved** your request for a conditional use permit to convert an existing retail building into a grocery store with two drive-up service windows, subject to the conditions below. In order to receive final approval of the conditional use and for building permits to be issued, the following conditions must be met:

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following fifteen (15) items:

1. 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 onto E. Washington Avenue. The applicant shall return a set of site plans or letter with WisDOT-approved copies to the City of Madison Traffic Engineering Division.
2. The applicant shall execute and return the attached declaration of conditions and covenants for traffic signals prior to sign off.
3. The site shall take active measures to re-orient access and service needs away from Mendota Street to Lien Road and E. Washington Avenue, particularly in light of the limited access and signal capacity at Mendota Street and E. Washington Avenue.
4. On Mendota Street, the site shall provide a new special design "Street Type Entrance" forty (40) feet in width with a radius of twenty-five (25) feet at the right-of-way. The egress shall be two lanes with a 14-foot "Right Turn Lane Only" and a pavement arrow separated by an eight-inch solid white line with a pavement arrow in the lane with a sign and an 11-foot thru and "Left Turn Lane Only" and a

pavement arrow with a double yellow line dividing the 15-foot ingress lane. A 6-inch white lines for the 6-foot wide crosswalk and 40-inch white stop bar five feet behind the crosswalk shall be painted at the intersection of the street. The applicant shall provide a 1" – 20 ft detail drawing of the "Street Type Entrance" with plan sheets showing these details. In addition, a note shall be shown on the plan, "All pavement marking shall be installed in epoxy and maintained by the property owner."

5. The applicant shall modify the Mendota Street access street type entrances as follows. The northern side of the landscape island shall be modified as follows: The northern side of the approach shall extend 135 feet easterly from the Mendota Street property line. In addition, the applicant shall widen the northerly island to accommodate a 4-foot grass terrace on each side of a 5-foot sidewalk and ramp at the end for a future sidewalk along the roadway to the easterly property line. In addition, the site shall make plans to continue this northern side sidewalk and terrace treatment from Mendota Street east to Lien Road as part of future phases or redevelopments.
6. The applicant shall provide one contiguous plan from Mendota Street to Lien Road and from the southerly property line to E. Washington Avenue for the facility showing the following: All the facility's, existing and proposed buildings, existing and proposed layouts of parking lots, loading areas, trees, signs, the sidewalk along the northerly property line, easements and approaches.
7. The applicant shall indicate the type of bicycle racks to be installed and shall include dimensions for the bicycle parking areas including the width and length of the bicycle parking spaces and any access aisles.
8. The applicant should provide bike racks near each of the entrances to the building, including entrances to tenant occupied spaces.
9. The applicant shall show all sidewalk ramps.
10. The applicant shall provide a bicycle only access ramp from Mendota Street at the building entrance to facilitate front door access from Mendota Street and the neighborhood.
11. 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, existing property lines, addresses, one contiguous plan (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 feet overhang, and a scaled drawing at 1" = 40'.
12. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
13. "Stop" and "No Left Turns" signs shall be installed at a height of six feet to the bottom of the first sign at the driveway approach to E. Washington Avenue and a "Stop" sign shall be installed at a height of seven feet at all other 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.

14. The applicant shall show the dimensions for 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 Section 10.08(6)(b)2. Signs and planting areas are to be excluded from the rectangular stall areas including the 2 feet of vehicle overhang. The 2 feet of vehicle overhang shall be shown on the plan and dimensioned.
15. 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 Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following fifteen (15) items:

16. Driveway on Mendota Street, which is shown to be widened, shall be constructed in accordance with the City of Madison Standards.
17. Site plan not clear where existing sanitary laterals located. Revise plan to include both existing sanitary lateral and proposed lateral locations.
18. Prior to approval, dedicate a 15-foot wide public sanitary sewer easement for any existing public sanitary not currently within a recorded easement.
19. Prior to approval, dedicate a public ingress/egress/maintenance access easement over all drive aisles for accessing the public sanitary sewer.
20. Public easements, in addition to those listed above, may be deemed necessary by the City Engineer, Traffic Engineer or various city agencies. The City Real Estate Department, requiring submittal of a \$500 processing fee and easement maps and legal descriptions prepared by a Registered Land Surveyor, shall administer all public easements. Make preliminary submittals to City Engineering Division Land Records Coordinator Eric Pederson (epederson@cityofmadison.com) for review and project setup and coordination with the Real Estate Department. Another suggested alternative, which may be more efficient and cost effective for the applicant, could be the submittal of a Certified Survey Map to accomplish the same, and also improve the title of the property owned by the applicant.
21. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
22. A City licensed contractor shall perform all work in the public right of way.
23. 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.
24. 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.

25. 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 1/2" of runoff from parking areas and 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.
26. 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.
27. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@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. Email file transmissions preferred. Please include the site address in this transmittal. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format.
28. 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, 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).
29. 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.
30. 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.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following three items:

31. If and when the direct driveway access to E. Washington Avenue is removed and if being used as part of the fire lane, the fire lane must be revisited and maintained code-complaint.
32. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet.
 - c.) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
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.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions about the following six items:

34. The proposed development incorporates the southern portion of the site, but does not indicate how this area will be differentiated from the northern portion that is not proposed for development at this time. Measures must be implemented to prohibit the use of the paved area identified by gray highlighting on the submitted plans. Please contact Zoning Administrator Matt Tucker (608-266-4569) to discuss measures to be taken to separate these two different portions of the site, which may include asphalt striping or the placement of barriers to prevent encroachment of cars or trucks. Acceptable measures to address this comment must be included on the final submitted site plans.
35. Provide four (4) 10' x 50' loading areas with 14 feet of vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle, fire lane, and maneuvering space.
36. For parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. Landscaping may be used as an alternative to screening of the off-street parking lot from the adjacent streets.
37. The submitted plans show general areas for bicycle parking, but do not show detail. The final plans must show the proposed location, dimensions and rack style for each of the proposed bicycle parking areas.
38. Exterior lighting must comply with City of Madison outdoor lighting standards.
39. The proposed street graphics do not meet the requirements of MGO Section 31. Also, the Plan Commission does not grant signage approvals. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. Permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development before signage may be placed.

Please contact my office at 261-9632 if you have questions about the following item:

40. That the applicant revise the western elevation per Planning Division approval to reduce the uninterrupted western side wall of the building facing Mendota Street. Revisions to this elevation may include, but not be limited to, the addition of storefront glass and an entrance to the "Tenant A" space along the western wall and/or the relocation of the "Tenant B" space further north along the western elevation to put it closer to the activity present on the northern portion of the building.

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

1. Please revise your plans per the above and submit *eight (8) 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 demolition and/or building permit 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 demolition permit and conditional use permit.

If you have any questions regarding obtaining your demolition or 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 261-9632.

Sincerely,

Timothy M. Parks
Planner

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

Signature of Applicant

cc: Matt Tucker, Zoning Administrator
John Leach, Traffic Engineering
Scott Strassburg, Madison Fire Dept.
Janet Dailey, Engineering Division

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