



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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June 21, 2011

Steve Jeske, AIA
Haag Muller Inc
101 E Grand Avenue
Port Washington, WI 53074

RE: Approval of a conditional use for **2705 East Washington Avenue** to allow the construction of a McDonald's restaurant with a drive-up service window.

Dear Mr. Baker:

The Plan Commission, meeting in regular session on June 20, 2011, determined that the ordinance standards were met and **approved** your client's request for a conditional use to construct a McDonald's restaurant with a drive-up service window at 2705 East Washington Avenue. In order to receive final approval of 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. On April 10, 1952, the City of Madison vacated portions of North Lawn Avenue, Sachs Street and a public alley as platted by the Reuter Subdivision by city ordinance. This city ordinance was recorded with the Dane County Register of deeds in Volume 246 Miscellaneous, Pages 424-426 as Document No. 832493. Per Wisconsin Statutes 66.1005(2), public easements are retained for all public utilities that existed within the vacated right-of-ways at the time of the vacation ordinance. Show the location of these retained easement rights on the plan over the surveyed location of all existing public facilities.
2. This is a parking lot reconstruct. A 40% TSS control is required off the new pavement.
3. Locate by field surveying, and show on the plan, all existing public utility facilities (storm and sanitary sewers and water mains) and their respective public easements they are contained within for the entire proposed project area.
4. Show all existing and proposed utility lateral connections on the site plan.
5. The approved address for this proposed site will be 2733 E. Washington Avenue.
6. No buildings will be allowed over existing public utility infrastructure of any type. When the existing facilities are field surveyed and accurately depicted on the site plan, there may need to either be some utility relocation by applicant/owner or modifications to the proposed building location.
7. A City/Developer Agreement shall be required if public utilities are relocated or public infrastructure is effected as determined by the City Engineer.
8. 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.

9. All work in the public right-of-way shall be performed by a City licensed contractor.
10. All damage to the pavement on East Washington Avenue 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>
11. 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.
12. 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.
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; 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.
14. 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.
15. 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. 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.
16. 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).
17. 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, and d) Sediment loading calculations.
18. 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 online at: <http://www.cityofmadison.com/engineering/permits.cfm>.

19. 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.
20. 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 John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following nine (9) items:

21. The Applicant shall provide to Traffic Engineering for approval, a Queuing Model showing provision for adequate queue storage that prevents queue interference with pedestrian or other vehicular movements.
22. The center driveway approach to East Washington Avenue west of the building intersection shall be so designed to accommodate the City's sight triangle preservation requirement which states that on a corner lot no structure, screening, or embankment of any kind shall be erected, placed, maintained or grown between the heights of 30 inches and 10 feet above the curb level or its equivalent within the triangle space formed by the two intersecting property lines or their projections and a line joining points on such street lines located a minimum of 25 feet from the street intersection in order to provide adequate vehicular vision clearance. This approach is major vision with pedestrian, bike and vehicle active. The applicant will need to relocate the planter and bike rack easterly out of the vision sight-triangle.
23. 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'.
24. The applicant shall provide scaled drawing at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semitrailer and vehicle movements, ingress/egress easements and approaches.
25. "Stop" and "No Left Turn" signs shall be installed at a height of seven (7) feet to the bottom of the first sign at the driveway approaches where medians prohibit turns. "Stop" signs shall be installed at a height of seven (7) feet at driveway approaches. The applicant shall show signage securing the one-way operation for McDonald's. 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.
26. The applicant shall design the surface for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. 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 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 dimension drive-thru lanes and back-up as not to interfere with park vehicles or pedestrian pathways.
27. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate

share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.

28. 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.
29. 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 Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following six (6) items.

30. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11(3)6.(m) which includes all applicable State accessible requirements, including but not limited to:
 - a. Provide the minimum number of accessible stalls to serve the parking lot, striped per State requirements. A minimum number 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.
31. Bike parking shall comply with City of Madison General Ordinances Section 28.11. Provide four (4) additional bike parking stalls for the restaurant site, in a safe and convenient location on an impervious surface to be shown on the final plan. Call out and dimension bike stalls. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Provide details of proposed bike rack.
32. Exterior lighting must comply with City of Madison lighting standards.
33. Clearly show the three required loading spaces on the final overall site plans for the sites.
34. 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.
35. Landscape and site plans for the entire East Madison Shopping Center site must be revised for this site change. Parking lot plans with greater than twenty (20) stalls shall comply with City of Madison General Ordinances Section 28.04 (12). 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.

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

36. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
37. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503

Please contact my office at 267-1150 if you have questions on the following two (2) items. Please note that condition 39 was a clarification approved by the Plan Commission at the June 20, 2011 meeting.

38. That a revised landscape plan be provided for staff approval. The revised plan shall include additional planting variety along the west building wall with the inclusion of some taller species to provide further visual interest along rear portion of that wall.
39. That the site plan be changed to show a revised pedestrian connection from the parking lot to the building entrance, as shown on the exhibit presented at the June 20, 2011 meeting.

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

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

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. 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 not need a copy of the approved plans.
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 conditional use.

If you have any questions regarding obtaining the 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

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| 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 checked="" type="checkbox"/> | Urban Design Commission |
| <input checked="" type="checkbox"/> | Traffic Engineering | <input type="checkbox"/> | Recycling Coord. (R&R) |
| <input checked="" type="checkbox"/> | Fire Department | <input type="checkbox"/> | Other: |