



Department of Planning & Community & Economic Development

## Planning Division

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April 29, 2014

Jon Grzywa, PE  
Woolpert, Inc  
Suite 120  
1815 S. Meyers Road  
Oakbrook Terrace, IL 60181

RE: Approval of a demolition permit and conditional use to raze an existing building for the purpose of constructing a fast food restaurant with a vehicle access sales and service window at **432 S. Gammon Road**

Dear Mr. Grzywa:

At its April 28, 2014 meeting the Plan Commission, meeting in regular session, approved your client's request for a demolition permit and conditional use to raze an existing building for the purpose of constructing a fast food restaurant with a vehicle access sales and service window at 432 S. Gammon Road. In order to receive final approval of the demolition and conditional use and for permits to be issued, the following conditions must be met:

**Please contact Janet Schmidt, Engineering Division at 261-9688 if you have questions regarding the following six (6) items:**

1. The address of 432 S. Gammon Rd will be retired with the demolition of the bank. The assigned address for the new restaurant is 430 S. Gammon Rd.
2. Provide a site demolition plan as part of the plan set.
3. Show and denote all easements affecting the site on the Site Plan on Sheet C-2.0. It is suggested that the ALTA survey completed on this site in December of 2013 be included in the plan set to best show the the existing conditions of the site.
4. 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.  
POLICY AND MGO 10.29
5. 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.

6. 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. (NOTIFICATION)
7. 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) Reduce TSS off of the proposed development by 80% when compared with the existing site; 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.
8. 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 [lzenchenko@cityofmadison.com](mailto: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, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4)).

9. 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, and g) detail drawings associated with stormwater management facilities (including if applicable planting plans).
10. 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.
11. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

12. All outstanding Madison Metropolitan Sewerage District (MMSD) 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))
13. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to Engineering sign-off, of the land use approval. This property is subject to Sanitary Connection charges for the Traux-West Sanitary Sewer District. The current rate for 2013 is \$12.00/1000 sf of lot area.
14. 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. (POLICY)
15. This project appears to have proposed uses which could require sanitary sewer demand charges or monitoring of the discharge of sanitary sewerage. The applicant shall install a monitoring manhole on the exterior of the building in compliance with City of Madison Engineering criteria. Please contact Tim Troester 608-267-1195 with question regarding this requirement.

**Please contact Eric Halvorson, Traffic Engineering at 266-6527 if you have questions regarding the following four (4) items:**

16. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions/angle, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
17. The Developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting, signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.
18. The City Traffic Engineer may require public signing and marking related to the development; the Developer shall be financially responsible for such signing and marking.
19. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Please contact Patrick Anderson, Assistant Zoning Administrator at 266-5978 if you have questions regarding the following twelve (12) items:**

20. 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.

21. Sec 28.185 (10) 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.
22. Pursuant to Section 28.142(3)&(6) Landscape Plan and Design Standards: Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared and stamped by a registered landscape architect.
23. This project is designed as a planned multi-use site. Pursuant to section 28.137(2)(a) A planned multi-use site, shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
24. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.
25. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development. NOTE: the signage submitted with the plan set does not appear to meet the sign code requirements.
26. Bike parking shall comply with City of Madison General Ordinances Table 28I-3 (General Regulations). Provide the minimum 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. Provide details of bike rack on final plan sets.
27. Parking requirements for persons with disabilities must comply with sec. 28.141(4)(e). Final plans shall show the required accessible stalls, including van accessible stalls.
28. Per Sec. Sec. 28.060(2)(e), provide detailed elevation drawings, including a gate detail, for the refuse enclosure.
29. The submitted plans show 70 parking stalls, but the lease area for this restaurant includes 58 stalls. The northernmost 12 parking stalls shown on the plan are part of the West Towne map proper area, but are being included because they are generally part of the development site.
30. Provide details for door and window openings subject to sec. 28.060(2)(d).
31. No rooftop mechanical equipment is shown on submitted plans. Per Sec. Sec. 28.060(2)(f), any rooftop equipment shall be screened from view.

**Please contact Bill Sullivan, Madison Fire Department at 261-9658 if you have questions regarding the following item:**

32. Building address shall conform with MGO 10.34. Coordinate with City Engineering.

**Please contact my office at 267-1150 if you have questions regarding the following item:**

33. That the exterior materials on the elevation drawings are clearly labeled. Drawings depict a four-sided brick structure. Follow-up correspondence has indicated from the applicant indicates this is intended to be a brick clad structure. Alternative materials, unless specifically approved as part of this request will require approval of an alteration to this request.

**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.**

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

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

1. Please revise your plans per the above conditions and submit ten (10) copies of a complete, fully dimensioned and scaled 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. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. The Madison Water Utility shall be notified to remove the water meters 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.
3. 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.
4. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.
5. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic

Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.

6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

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

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Schmidt, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Bill Sullivan, Fire Department  
Patrick Anderson, Zoning

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

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 checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: