



Department of Planning & Community & Economic Development

## Planning Division

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April 7, 2017

Joel Jackson  
Bishop Engineering  
3501 104<sup>th</sup> Street  
Urbandale, IA 50322

RE: Approval of a Demolition Permit and Conditional Use to demolish the existing one-story commercial building located at **6910 Odana Rd.** to re-establish a restaurant with vehicles sales and service window.

Dear Mr. Jackson:

At its April 5, 2017 meeting, the Plan Commission **approved** your request for a Demolition Permit and Conditional Use to demolish the existing one-story commercial building located at 6910 Odana Rd. to re-establish a restaurant with vehicles sales and service window. In order to receive final approval of the Demolition Permit and Conditional Use, and for any necessary permits to be issued, the following conditions must be met:

**Please contact my office at 267-8733 if you have questions regarding the following item:**

1. Pursuant to Chapter 31, MGO, the existing nonconforming pole sign will be required to be removed at the time of demolition. Please revise the plans to reflect the removal of the sign.

**Please contact Tim Troester, City Engineering, at 267-1995 if you have questions regarding the following 18 items:**

1. 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. The permit application is available on line at, <http://www.cityofmadison.com/engineering/permits.cfm> (CH 35.02(14), MGO).
2. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering sign-off (Section 16.23(9)(d)(4), MGO).
3. 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).

4. 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.
5. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
6. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the 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) Lot lines or parcel lines if unplatted
  - g) Lot numbers or the word unplatted
  - h) Lot/Plat dimensions
  - i) Street names
  - j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
  - k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal. NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes, or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

7. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set (POLICY and Section 37.09(2), MGO).

PDF submittals shall contain the following information:

- 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) Lot lines or parcel lines if unplatted
  - g) Lot numbers or the word unplatted
  - h) Lot/Plat dimensions
  - i) Street names
  - j) Stormwater Management Facilities
  - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
8. 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 or printed output shall be scanned to a PDF file and provide (POLICY and Section 37.092(2), MGO).
9. 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 (POLICY AND Sections 10.29 and 37.05(7)(b), OVER 10,000 SF OF IMPERVIOUS AREA, MGO).
10. The Applicant shall submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5" x 14" size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.
11. The Applicant shall demonstrate compliance with Sections 37.07 and 37.08, MGO 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 5.0 tons per acre per year.
12. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until

concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line:

<http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION).

13. Prior to approval, this project shall comply with Chapter 37, MGO regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
14. 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, MGO.
15. The Applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction (Section 37.05(7), MGO). This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
16. 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 (POLICY).
17. All work in the public right-of-way shall be performed by a City licensed contractor (Sections 16.23(9)(c)(5) and 23.01, MGO).
18. All damage to the pavement on Odana Road, 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> (POLICY).

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

1. Prior to final plan sign-off the applicant shall submit to TE for review a peak hour queuing model for drive-thru operation.
2. The Applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings 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, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
3. 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.

4. 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.
5. All parking facility design shall conform to Section 10.08(6), MGO.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have questions regarding the following ten items:**

1. The existing accessory ground sign must be removed when the principal building is demolished. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances.
2. Section 28.185(7)(a)(5), MGO requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
3. Pursuant to Section 28.185(10), MGO, every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)(5), MGO shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
4. Pursuant to Section 28.185(9)(a), MGO, a demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
5. The Applicant shall submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3), MGO, "*Landscape Plan and Design Standards*," landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
6. The Applicant shall provide adequate development frontage landscaping per Section 28.142(5), "*Development Frontage Landscaping*," MGO. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Note that landscaping must be installed on the private property.
7. The Applicant shall submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
8. The Applicant shall submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d), MGO. Screens shall be of durable, permanent materials that are compatible with the primary building materials.
9. Per Section 28.186(4)(b), MGO the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning

Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

10. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development. Note that the "M" shown on the red accent wall cannot be approved as shown.

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

1. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner at [jbuechner@cityofmadison.com](mailto:jbuechner@cityofmadison.com) or (608)516-9195.

**Please contact Janet Schmidt, Parks Division, at 266-4714 if you have any questions regarding the following two items:**

1. City Forestry will be removing two 13" – 23" diameter pre-emptive Ash trees on the terrace in the summer of 2017 that aren't healthy enough to qualify for the EAB treatment program. Both of these trees are marked with a yellow dot on the trunk.
2. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

**Please contact Adam Wiederhoeft, Water Utility, at 266-9121 if you have questions regarding the following three items:**

1. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
2. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed

plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

The applicant's utility contractor shall obtain an excavation permit prior to commencing the water main or service construction in the public right-of-way. This permit application is available on the City Engineering Division website (<http://www.cityofmadison.com/engineering/permits.cfm>).

3. Provide clarification to Madison Water Utility in regards to the 3//4" water service piping shown on the north end of the Site Plan/Utility Plan. Is the proposed 3/4" water service piping for irrigation purposes, and is the intent of the 3/4" water service line to be metered separately from other domestic/fire protection accounts?

**Please contact Jeff Quamme, City Engineering Review Mapping, at 266-4097 if you have questions regarding the following item:**

1. The two existing tax parcels are under identical ownership and are being used as one site. Applicant shall provide a written request to Sally Sweeney, Assessor's Office ([ssweeney@cityofmadison.com](mailto:ssweeney@cityofmadison.com) - 267-8747) to combine the tax parcels into one tax parcel. Combining current Parcel No.'s 251-0708-252-0102-6 and 251-0708-252-0103-4.

**Specific questions regarding the comments or conditions in this letter should be directed to the commenting agency. No building permits shall be issued until the Applicant has met all of the conditions of approval stated in this letter.**

**For obtaining your Demolition Permit and Conditional Use, please follow the procedures listed below:**

1. Please revise your plans per the above conditions and submit **ten copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. This submittal shall all also include one complete digital plan set in PDF format. 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, MGO, and any other documentation requested herein by the Zoning Administrator, located at 126 S Hamilton St., Madison, WI 53701. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for final approval.
2. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.
3. 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.
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. 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 demolition permit approval standards.
6. This letter shall be signed by the Applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
7. 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.
8. 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.
9. 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, 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 267-8733.

Sincerely,



Jessica Vaughn, AICP  
Planner

- cc: Tim Troester, City Engineering  
Eric Halvorson, Traffic Engineering  
Jenny Kirchgatter, Zoning  
Bill Sullivan, Fire Department  
Janet Schmidt, Parks Division  
Adam Wiederhoeft, Water Utility  
Jeff Quamme, City Engineering Review Mapping

I hereby acknowledge that I understand and will comply with the above conditions of approval for the 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. (Vaughn)	<input checked="" type="checkbox"/>	Zoning Administrator
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	Engineering Mapping Sec.	<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 checked="" type="checkbox"/>	Other: Water Utility