



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
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October 19, 2012

Rice Williams
Artech Design Group, Inc.
1410 Cowart Street
Chattanooga, Tennessee 37408

RE: Approval of a conditional use and demolition permit to allow demolition of an existing restaurant and an auto repair business and construction of two new multi-tenant retail buildings generally located at 7317 West Towne Way in the West Towne Mall planned commercial site.

Dear Mr. Williams;

At its October 15, 2012 meeting, the Plan Commission found the standards met and **approved** your demolition permit and conditional use application to allow demolition of an existing restaurant and an auto repair business and construction of two new multi-tenant retail buildings with future outdoor eating areas generally located at 7317 West Towne Way.

The following conditions of approval shall be satisfied prior to the issuance of demolition and building permits for this project:

Please contact Janet Dailey of the City Engineering Division at (608) 261-9688 if you have questions regarding the following sixteen (16) items:

1. The applicant shall amend Easement Document No. 135553 & 2145961 clarifying that the City will not be held responsible for replacement of surface features other than concrete sidewalk, concrete curb and gutter, and asphalt in the event that the City sewer needs to be repaired. Alternatively, the sewer could be rerouted and a new easement provided to the City.
2. Modify the landscape plan to remove any plantings and light poles from the existing sanitary sewer easement.
3. The existing sanitary sewer main running through the lot is 8-inch diameter and not 6-inch diameter as it is shown on the plan set. Proposed laterals need to be installed and directed downstream.
4. The approved addresses that shall be used for this site are:
 - 2,350 sq ft retail shop A – address is 7327 West Towne Way
 - 10,000 sq ft retail shop B – address is 7323 West Towne Way
 - 5,250 sq ft retail shop C – address is 7319 West Towne Way
 - 4,900 sq ft retail standalone shop D – address is 7313 West Towne Way
5. 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.
6. 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.

7. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one acre of disturbance, for stormwater management and erosion control has been transferred to the Wisconsin Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. As this site is greater than one acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement
8. 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 & 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.
9. 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.
10. NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of options provided below:

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.
11. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. 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).
12. 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.
13. The applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit.

14. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary or storm 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.
15. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division sign-off, unless otherwise collected with the Developer's Agreement.
16. 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 Dan McCormick of the Traffic Engineering Division at (608) 267-1969 if you have any questions regarding the following three (3) items:

17. 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 2 feet overhang, and a scaled drawing at 1" = 20'.
18. 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.
19. 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 Dennis Cawley of the Madison Water Utility at (608) 261-9243 if you have any questions regarding the following item:

20. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following item:

21. Provide fire apparatus access as required by Comm. 62.0509 and MGO Sec. 34.19, as follows:
 - a.) The site plans shall clearly identify the location of all fire lanes.
 - b.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered. Provide a minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant
 - c.) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 pounds.
 - d.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet.
 - e.) Provide a fire lane with the minimum clear unobstructed width of 20-feet

Please contact Pat Anderson, Assistant Zoning Administrator at (608) 266-5978 if you have any questions about the following five (5) items:

22. Per MGO Sec. 28.11, provide a minimum of 15 bike parking stalls in a safe and convenient location on an

impervious surface near the building to be shown on the final plan. 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.

23. Parking lot plans with greater than 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. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
24. 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. Sec 28.12(12)(e) 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.
25. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31, MGO, Street Graphics Code. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
26. Lighting is required. Provide a plan showing at least .5 footcandle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance).

Please contact my office at (608) 261-9632 if you have any questions about the following item:

27. That the developer submit a minor alteration to the approved conditional use for any future outdoor eating areas in the proposed multi-tenant retail buildings for approval by the Director of the Planning Division following a recommendation by the district alderperson. The minor alteration(s) shall identify the name and nature of the business requesting the outdoor eating area, and shall identify the hours of operation and whether any outdoor amplified sound is proposed. The request shall be accompanied by a seating plan that identifies the number of tables, chairs and total occupants for the outdoor eating area.

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 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 permits for your project:

1. Please revise your plans per the above conditions and submit **nine (9) copies** of a complete, fully dimensioned, and to-scale set of plans, the appropriate site plan review application and fee pursuant to Section 28.12(13)(a)10 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 prior to the issuance of permits.
2. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the 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.

3. The Madison Water Utility shall be notified to remove the water meter(s) prior to demolition.
4. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.
5. 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 may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
 Planner

cc: Janet Dailey, City Engineering Division
 Dan McCormick, Traffic Engineering Division
 Pat Anderson, Asst. Zoning Administrator
 Bill Sullivan, Madison Fire Department
 Dennis Cawley, Madison Water Utility

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.</p> <p>_____</p> <p style="text-align: center;"><i>Signature of Applicant</i></p> <p>_____</p> <p style="text-align: center;"><i>Signature of Property Owner (If Not Applicant)</i></p>
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For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: