



Legislation Details (With Text)

**File #:** 25616      **Version:** 1      **Name:** CU conditions alteration - 1101 N Sherman Ave  
**Type:** Miscellaneous      **Status:** Approved  
**File created:** 3/12/2012      **In control:** PLAN COMMISSION  
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**Title:** Consideration of a request by the applicant to revise the conditions of a conditional use approval for a new gas station, car wash, and convenience store with restaurant tenant space to be constructed at 1101 N. Sherman Avenue; 12th Ald. Dist.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Request.pdf, 2. Previous Approval.pdf, 3. Staff Comments.pdf, 4. 1101 N Sherman Ave Zoning Memo\_04-06-12.pdf

Date	Ver.	Action By	Action	Result
4/9/2012	1	PLAN COMMISSION	Approve	Pass
3/19/2012	1	PLAN COMMISSION	Refer	Pass

**Title**  
Consideration of a request by the applicant to revise the conditions of a conditional use approval for a new gas station, car wash, and convenience store with restaurant tenant space to be constructed at 1101 N. Sherman Avenue; 12th Ald. Dist.

**Body**  
On November 21, 2011, the Plan Commission found the standards met and approved a demolition permit and conditional use to allow a former convenience store to be demolished and a new gas station, car wash, and convenience store with restaurant tenant space to be built at 1101 N. Sherman Avenue, at the northeastern corner of Roth Street. One of the conditions of the project approval (#21 on the attached approval letter) prohibited the outdoor storage and sale of windshield wash, mulch, firewood, salt and other such materials at any location on the subject site, including in the parking lot, on walkways adjacent to the convenience store or in the area of the pump islands.

The architect for the demolition permit and conditional use request, Doug Pahl of Aro Eberle Architects, Inc. submitted a letter dated February 15, 2012 on behalf of his client, Farooq Shahzad, Capitol Petroleum, LLC, requesting that condition 21 be removed. Mr. Pahl cites in his letter that the recent approval of other gas station/ convenience store projects similar to his client’s at 1129 S. Park Street and 4624 Monona Drive did not contain the restriction placed on the 1101 N. Sherman Avenue project, and that the condition approved places “an undue constraint on [his] client’s operations.”

More information regarding this request is attached to the legislative file.