



Department of Planning & Community & Economic Development
Planning Division

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February 8, 2011

Mike Hanning
Gershman Brown Crowley, Inc.
1100 W. Northwest Highway
Chicago, Illinois 60056

RE: Approval of a demolition permit and a conditional use to allow demolition of an existing gas station and construction of a pharmacy with drive-up service window at 6701 Mineral Point Road.

Dear Mr. Hanning;

At its February 7, 2011 meeting, the Plan Commission found the standards met and **approved** your demolition permit and conditional use application to allow construction of a CVS Pharmacy with drive-up service window at 6701 Mineral Point Road, subject to the conditions below. In order to receive final approval of the demolition permit and conditional use and for demolition and building permits for to be issued for your project, the conditions that follow below shall be met.

Please contact Janet Dailey, City Engineering Division, at (608) 261-9688 if you have questions regarding the following eighteen (18) items:

1. New NR-151 rules are now in place as of January 1, 2011. The applicant must reduce TSS by 40% compared to no controls from parking areas. Filters/ bioretention/ ponds (not stormceptor) are required to meet this requirement.
2. Revise plan to show existing conditions and contours on the adjacent parcel to the west, particularly in the area of the proposed storm sewer discharge.
3. The applicant/ property owners shall record all necessary ownership transfers, shared ingress and egress easements and maintenance agreements, and the Certified Survey Map resolving the resultant after conditions for the existing City of Madison parcels 0708-252-0118-3 and 0708-252-0084-6 prior to issuance of occupancy permits.
4. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
5. The applicant's project requires the minor restoration of the street and sidewalk. The applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit, including inspection fees.
6. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction, or any sidewalk and curb and gutter that 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.
7. A City-licensed contractor shall perform all work in the public right of way.
8. 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.

9. The applicant shall demonstrate compliance with MGO Sections 37.07 and 37.08 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.
10. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site, an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
11. 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 NR-216 and NR-151, but a separate permit submittal is now required from 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 DNR, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Please contact Eric Rortvedt of the WDNR at 273-5612 to discuss this requirement.

12. 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.
13. The applicant shall submit, prior to plan signoff, 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: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
14. 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).
15. 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.
16. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
17. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary 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.

18. 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.

Please contact John Leach, Traffic Engineering Division, at (608) 267-8755 if you have questions about the following seven (7) items:

19. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: existing items in the terrace (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
20. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
21. "Stop" and "No Left Turns" signs shall be installed at a height of 6 feet to the bottom of the first sign at the driveway approach to Mineral Point Road and a "Stop" sign shall be installed at a height of seven 7 feet at the driveway approach to Grand Canyon Drive. 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.
22. The drive-up shall be clearly identified, and a secured one-way operation with pavement markings and signage and the service point shall be shown. The applicant shall provide to Traffic Engineering for approval a queuing model showing accommodations for two vehicles at each service point, and queue storage that prevents queue interference with pedestrian or other vehicular movements.
23. The intersection shall be so designed so as not to violate 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 street 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.
24. 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.
25. 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 Pat Anderson, Assistant Zoning Administrator, at (608) 266-5978 if you have any questions regarding the following eight (8) items:

26. Bike parking shall comply with MGO Section 28.11: Provide 6 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 2 feet by 6 feet with a 5-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices. Provide detailed plans of bike parking stalls on final plans sets.

27. Per MGO Section 28.04(12), 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.
28. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Provide a minimum of three accessible stalls striped per State requirements. A minimum of one 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 48 inches 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.
29. Provide a reuse/recycling plan, to be reviewed and approved by The City's Recycling Coordinator, 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.
30. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Section 31, Sign Code, and Section 33.24, Urban Design Commission ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
31. Lighting is required. Provide a plan showing at least .5 footcandle on any surface on any lot and an average of .75 footcandles. The maximum light trespass shall be 0.5 fc at 10 feet from the adjacent lot line. (See City of Madison lighting ordinance).
32. Provide (1) 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. Provide a detail of this loading zone on the final plan sets.
33. The site plan shows cross access with an adjacent property. As a result, this site plan will be reviewed as a Planned Commercial Site as defined in MGO Section 28.03 and governed by Section 28.04(23). Show cross access easements on the final site plan as well as on the separate Certified Survey Map (CSM) re-dividing these adjacent parcels.

Please contact Dennis Cawley, Madison Water Utility, at (608) 261-9243 if you have any questions regarding the following two (2) items:

34. This property is in a Wellhead Protection District. The proposed use is permitted in this district. Any proposed change of use for this property shall be reviewed by the Madison Water Utility General Manager or his designated representative.
35. 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, Madison Fire Department, at (608) 261-9658 if you have any questions regarding the following three (3) items:

36. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances are measured

along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.507 for additional information.

37. Where a building, or portion thereof, is used for high-piled combustible storage, fire department access shall be provided as required by IFC 503.1.3 and IFC 2306.6.
38. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503.

Please contact my office at (608) 261-9632 if you have questions about the following five (5) items:

39. That the site plans be revised per Planning Division approval prior to final staff approval and issuance of demolition or building permits to show a pedestrian route from the proposed pharmacy to the retail development proposed to the south at 414 Grand Canyon Drive. [Staff will work to include the same pedestrian route on the plans for the new buildings on the adjacent property as part of the Planned Commercial Site/ Certified Survey Map process.]
40. That final detailed plans for the knee wall and monument sign located in the northeastern corner of the site be submitted for final approval by the Planning Division prior to final staff approval and issuance of demolition or building permits. The final plans shall include a section drawing of the wall and sign and the building materials to be used.
41. That the applicant work with staff prior to final staff approval and the issuance of building permits to incorporate taller windows along the northern, eastern and western facades to further improve the openness of the store to Mineral Point Road and Grand Canyon Drive. Staff proposes that this condition can be met by increasing the height of all of the windows down to the top of the darker colored CMU block.
42. That not more than 20% of the window area be covered by advertisements, products or coverings.
43. That prior to issuance of demolition and building permits for the proposed pharmacy, a plan, reciprocal land use agreement and reciprocal access easement between the subject site and adjacent parcel at 414 Grand Canyon Drive be recorded with the Dane County Register of Deeds following approval by the Traffic Engineer, City Engineer and Director of Planning and Community & Economic Development.

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

No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.

Please now follow the procedures listed below for obtaining your demolition and conditional use permit:

1. Please revise your plans per the above conditions and submit **eight (8) copies** of a complete, fully dimensioned 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. 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 demolition and/ or building permit approval.

- 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
 John Leach, Traffic Engineering Division
 Pat Anderson, Asst. Zoning Administrator
 Dennis Cawley, Madison Water Utility
 Bill Sullivan, Madison Fire Department

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use project.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (If Not Applicant)</i></p>

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 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: