



Department of Planning & Community & Economic Development  
**Planning Division**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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March 8, 2011

Thomas B. Sanford  
Sanford Enterprises, Inc.  
210 North Bassett Street, Ste 100  
Madison, WI 53703

RE: Approval of a demolition permit and conditional use to raze a commercial building to construct two multi-tenant buildings with two drive-up service windows and an outdoor eating area at 4120-4208 East Washington Avenue

Dear Mr. Sanford:

The Plan Commission, meeting in regular session on March 7, 2011, determined that the ordinance standards were met and **approved** your requests for a demolition permit and conditional use to raze a commercial building to construct two multi-tenant buildings with two drive-up service windows and an outdoor eating area at 4120-4208 East Washington Avenue. In order to receive final approval of the demolition permit and the conditional use the following conditions must be met:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-two (22) items:**

1. Continue to coordinate floor plans with Engineering Mapping Lori Zenchenko ([addressing@cityofmadison.com](mailto:addressing@cityofmadison.com)) so that a final interior addressing plan may be developed for this site. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
2. Include complete property dimensions on the final plan set submittal.
3. The applicant shall install sidewalk along E. Washington Avenue Frontage Road adjacent to the development. Provide a sidewalk plan, stamped by a professional engineer, to City Engineering for review and approval. The sidewalk shall be installed under a Permit to Excavate in the right of way in lieu of a Development Agreement. All work must be completed within 6 months or the succeeding June 1st, whichever is later after the completion of the site improvements. Permits are available online at <http://www.cityofmadison.com/engineering/permits.cfm>.
4. Provide details of proposed retaining wall. Design shall be stamped by a professional engineer.
5. Owner shall enter into a maintenance agreement for the existing and proposed retaining wall.
6. A connection to the storm sewer system is required for this development. This will require cutting across the frontage road to access the existing storm sewer in East Washington Ave.

7. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
8. 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.
9. All work in the public right-of-way shall be performed by a City licensed contractor.
10. All damage to the pavement on E. Washington Avenue Frontage 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>
11. 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.
12. 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.

13. Effective January 1, 2010, The Department of Commerce's authority to permit commercial sites, with over one (1) acre of disturbance, for stormwater management and erosion control has been transferred to the 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 (1) 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. Information on this permit application is available on line:

<http://dnr.wi.gov/Runoff/stormwater/constformsinfo.htm>

14. 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 Co Register of Deeds.
15. 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) Control 40% TSS (20 micron particle) off of new paved surfaces; 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.
16. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) [izenchenko@cityofmadison.com](mailto:izenchenko@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.

17. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division (Jeff Benedict or Tim Troester). 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).
18. 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.
19. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at:  
<http://www.cityofmadison.com/engineering/permits.cfm>.
20. 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. This permit application is available on line at  
<http://www.cityofmadison.com/engineering/permits.cfm>.
21. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges 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.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions regarding the following six (6) items:**

22. The drive up facilities prior to approval shall be identified by land use. The queuing and trip generation varies with land use as McDonald, Coffee shop etc. The drive up shall be clearly identified with pavement markings and signage and the service points shall be shown as menu boards and service windows. The applicant shall provide to Traffic Engineering for approval, a Queuing Model showing provision for adequate queue storage that prevents queue interference with pedestrian or other vehicular movements for the land use.
23. The applicant shall be responsible for securing all proper permits and approvals from any municipality or government unit having jurisdiction with the project. In particular, the applicant shall contact David Kreitzmann, Wisconsin Department of Transportation (608-516-6497), with site plans sets for review and approval. The applicant shall return a set of site plans or letter with WDOT-approved copies to the City of Madison Traffic Engineering Division.

24. 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, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
25. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
26. "Stop" signs shall be installed at a height of seven (7) feet at all driveway approaches. The applicant will need to install signage as "STOP" and "Do Not Enter" to secure the one-way operations for the drive-up lanes. 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.
27. 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 Bill Sullivan, Madison Fire Department, at 261-9658 if you have questions regarding the following two (2) items:**

28. Relocation of existing fire hydrant shall not cause neighboring buildings to no longer be in compliance with today's code, nor can the relocation have a negative impact on an existing non-code compliant situation. Verify all buildings in the area are: a) not negatively impacted, and b) shown the new location of the existing hydrant.
29. Ensure address signage complies with Madison General Ordinances and the International Fire Code.

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

30. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of one 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.
  - c. Show the accessible path from the stalls to the building.
31. Bike parking shall comply with City of Madison General Ordinances Section 28.11.
32. Provide 9 bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
33. Lighting is required and shall be in accordance with City of Madison General Ordinances Section 10.085. Provide a plan showing at least .5 foot candle on any surface on any lot and an average of .75 footcandles. The max. light trespass shall be 0.5 fc at 10 ft from the adjacent lot line. (See City of Madison lighting ordinance).

34. Parking & Loading shall comply with City of Madison General Ordinances Section 28.11 (4). 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.
35. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. This is in an Urban Design District. Signage must be approved by the Urban Design Commission and Zoning. Sign permits must be issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to sign installations. NOTE: elevations show sign areas crossing architectural detail, which is not permissible per MGO 31.
36. Meet applicable building/fire codes. If an outdoor eating area is requested, the outdoor capacity shall be established. Occupancy is established by the Building Inspection Unit. Contact Mike VanErem at 266-4559 to help facilitate this process. Required parking is driven by capacity which has not been requested.
37. Provide a detailed landscape plan as required by City of Madison General Ordinances Section 28.12. Show species and sizes of landscape elements. 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.) Within 10' from a driveway crossing of a street lot line, any landscaping/screening shall not exceed 2' in height for vision clearance.
38. Pursuant to section 28.04 (12) ( c ) where sites shares a zoning district boundary with residential development. This development must provide effective 6' – 8' high screening along the lot line of this commercial district adjoining a residential zoning district.
39. 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.
40. 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.
41. The site plan shows cross access with adjacent property, as a result; the site plan will be reviewed as a Plan Commercial site. Show cross access easements on final site plan as well as CSM.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have questions on the following item:**

42. The Madison Water Utility shall be notified to remove the water meter 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.

**Please contact my office at 267-1150 if you have questions on the following eight (8) items.**

43. That the applicant labels the exterior building materials on all elevations, for approval by staff.
44. That the applicant receives final Urban Design Commission approval, incorporating all recommended changes including the incorporation of operational doors facing the frontage road.

45. That all signage be approved by the Urban Design Commission.
46. That the applicant provides supplemental information demonstrating that existing (or proposed screening) would effectively screen all building mechanicals and drive-up areas from the adjoining residential homes. Information shall include a cross-section drawing depicting site lines between the homes and the subject site. Additional screening may be required to meet this condition.
47. That the outdoor eating area approval is for a coffee shop to be located in the patio area as shown on the approved plans. This area shall be labeled on the final site plans. There shall be no outdoor amplified sound. The outdoor eating area shall close at 10:00 pm, nightly. The final capacity and details shall be approved by the Fire Department and Building inspection, and shall not exceed 20 persons, unless a higher capacity is approved by alteration of this conditional use.
48. That the applicant labels the location of any drive-up window speakers on the plans, for approval by staff.
49. That any equipment, shelving, or other similar window obstruction shall be placed a minimum of five (5) feet behind the window. Window displays are allowed consistent with other applicable ordinances provided that no more than 30% of the window area be covered by advertisements, products, or coverings.
50. That the drive-up service windows be open to bicycles.

**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.**

**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 permit and conditional use:**

1. Please revise your plans per the above and submit **ten (10) copies** of a complete 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. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
4. 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 demolition permit and conditional use permit.

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

Sincerely,

Kevin Firchow, AICP  
Planner

cc: Janet Dailey, Engineering Division  
John Leach, Traffic Engineering  
Pat Anderson, Ast. Zoning Administrator  
Bill Sullivan, Madison Fire Department  
George Dreckmann, Recycling Coordinator

I hereby acknowledge that I understand and will comply with the above conditions of approval for this 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: