



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

215 Martin Luther King, Jr. Blvd.
P.O. Box 2985
Madison, Wisconsin 53701-2985
Phone: (608) 266-4635
Fax (608) 267-8739
www.cityofmadison.com

January 20, 2020

Jennifer Mowen
GreenbergFarrow
21 S Evergreen Ave, Ste 200
Arlington Heights, IL 60005

RE: (Legistar ID 62642 | LNDUSE-2020-00120) Approval of a request to amend the PD-GDP and adopt PD-GDP-SIP zoning at 7050-7104 Watts Road

Dear Ms. Mowen,

At its January 19, 2021 meeting, the Madison Common Council found the standards met and **approved** your request to amend a PD-GDP (Planned Development - General Development Plan district) and change the zoning to PD-SIP (Planned Development - Specific Implementation Plan district) to build a restaurant at 7050-7104 Watts Road. The conditions of approval in the following sections shall be satisfied prior to issuance of permits for the project.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following five (5) items:

1. Submit an overall site plan including the cross connected sites at 7202 Watts Rd and 7050 Watts Rd.
2. Show the width of the landscape buffer on the site plan as measured from the edge of the parking lot to the south property line.
3. Construct a parking lot island within the south row of parking stalls. A planting island shall be located at least every twelve (12) contiguous stalls with no break.
4. Per Section 28.186(4)(b), 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.
5. 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 and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following eighteen (18) items:

6. Applicant needs to submit a site plan showing the proposed utility improvements.

7. If the proposed redevelopment exceeds 80% of the impervious cover compared to the existing site, the development shall be required to:
 - a) Reduce peak runoff rates from the site by 15% compared to existing conditions during a 10-year design storm.
 - b) Reduce runoff volumes from the site by 5% compared to existing conditions during a 10-year design storm.
 - c) The required rate and volume reductions shall be completed, using green infrastructure that captures at least the first 1/2 inch of rainfall over the total site impervious area. If additional stormwater controls are necessary beyond the first 1/2 inch of rainfall, either green or non-green infrastructure may be used.
8. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
9. Construct sidewalk along Watts Rd to a plan as approved by City Engineer
10. 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 signoff. (MGO 16.23(9)(d)(4))
11. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
12. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
13. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
14. 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>.
The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
15. Revise the site plan 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)
16. This site appears to have a land use that will result in their inclusion as a restaurant class sanitary sewer customer. This will charge commercial kitchen facilities a higher sanitary sewer fee per gallon than domestic

users and is based on strengths of waste measured at representative similar customers throughout the City. If the applicant desires, a sampling structure may be installed, as part of the initial construction at their cost, to allow site-specific sampling of their waste to determine sanitary sewer charges specifically for this site. If no sampling structure is installed, this site will default to the restaurant class code in MGO Chapter 35. If you have questions on the restaurant class sewer charges please contact Megan Eberhardt at Meberhardt@cityofmadison.com or 608-266-6432.

17. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
18. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
19. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
20. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>
This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)
This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.
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.
21. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.
The Storm Water Management Plan & Report shall include compliance with the following:
Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic

modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))
TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

22. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
23. 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 (East) or ttroester@cityofmadison.com (West).

Please contact Jeffrey Quamme of the City Engineering Division Mapping Section at (608) 266-4097 if you have any questions regarding the following four (4) items:

24. It appears there may not be any disturbance of any facilities within the Walmart parcel. If the final plans to be provided should require any construction activity on the adjacent Walmart lands, a copy of the construction easement / agreement shall be provided prior to final site plan approval.
25. The parcel within this development and those adjacent are dependent on each other for overland and subsurface storm water drainage. A private Storm Sewer/Drainage Easement/Agreement for all parcels within (and/or adjacent to) this development has been drafted and approved for content. The Easement Agreement shall be executed and recorded prior to building permit issuance.
26. Provide a full set of site plans for the development. They shall include all lot/ownership lines, existing building locations, proposed buildings, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
27. The address of the proposed building is 7104 Watts Rd. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records..

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following nine (9) items:

28. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; 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.

29. 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.
30. 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.
31. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
32. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
33. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
34. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
35. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
36. The applicant shall enter into a signed developer's agreement through City of Madison Engineering prior to sign off to relocate sidewalk to provide wider terrace..

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following one (1) item:

37. Applicant needs to provide a site utility plan.

Please contact Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following four (4) items:

38. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the north side of Watts Road, west of the signalized property entrance driveway (#6464).
39. The applicant shall install and maintain a bench or other seating amenity in the adjacent property landscape plan. The applicant may alternatively elect to install and maintain a passenger waiting shelter, with bench seating, if the applicant believes this upgraded amenity feature would be more compatible with the hedge screen and parking area that area shown directly opposite the bus stop loading zone area.

40. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
41. Metro Transit currently operates daily transit service along Watts Road. Bus stop ID #6464 is adjacent the proposed project site along the north side of Watts Road, with the bus stop zone encompassing the area from the existing bus stop sign pole east through to the signalized entrance driveway intersection..

Please contact my Bill Sullivan of the Fire Department at (608) 261-9658 if you have any questions regarding the following one (1) item:

42. All portions of the fire lanes for 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.

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 **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval. Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator.
3. Requests to alter a Planned Development District shall be made to the Director of Planning and Community and Economic Development (DPCED). Upon receipt of the request, the Director shall determine if the request constitutes a major or minor alteration to the Planned Development District. The Director may refer any request for alteration to the Urban Design Commission for an advisory recommendation. Minor alterations may be approved the Director of DPCED or designee following consideration by the alderperson of the district if the requested alterations are consistent with the concept approved by the Common Council. If the alderperson of the district and the Director of DPCED do not agree that a request for minor alteration should be approved, then the request for minor alteration shall be decided by the Plan Commission. Major alterations may be approved by the City Plan Commission if the requested alterations are consistent with the concept approved by the Common Council. Major alterations that represent a substantial departure

from the concept approved by the Common Council may be approved only after all of the procedures in Sec. 28.098(5) have been satisfied.

- This approval shall become null and void one (1) year after the date of the Common Council approval if a copy of the plans, zoning ordinance amendment, and related documents have not been recorded with the Dane County Register of Deeds office. Where the plans have not been altered from the Common Council's approval, the Director of Planning and Community and Economic Development may approve an extension for up to 24 months from the expiration date

If you have any questions regarding obtaining your final approval or 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 243-0455.

Sincerely,



Colin Punt
 Planner

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 10px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 10px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>
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- cc: Jenny Kirchgatter, Assistant Zoning Administrator
 Tim Troester, City Engineering Division
 Jeff Quamme, Engineering – Mapping
 Sean Malloy, Traffic Engineering Division
 Jeff Belshaw, Water Utility
 Tim Sobota, Metro Transit
 Bill Sullivan, Fire Department

LNDUSE-2020-00120			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<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 type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input type="checkbox"/>	Other: Forestry