



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

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

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May 6, 2009

Larry Stone  
Iconica  
901 Deming Way  
Madison, WI 53717

RE: Approval of a conditional use at 2101-2115 East Springs Drive for a planned commercial site with a 99,725 square foot retail building and two pad sites.

Dear Mr. Stone:

At its May 4, 2009 meeting, the Plan Commission, meeting in regular session, approved your client's application to allow construction of a 99,725 square foot retail building with two pad sites at 2101-2115 East Springs Drive. In order to receive final approval of the conditional use, the following conditions must be met:

**Please contact Janet Dailey, City Engineering Division, at 261-9688 if you have questions regarding the following seventeen (17) items:**

1. The City Engineer may at the City Engineer's discretion, allow an excavation permit in place of an Development Agreement.
2. The applicant shall lower the sidewalk at the proposed driveway location. Maximum driveway grade between gutter and sidewalk shall be 4%.
3. Wetlands on the site shall be identified in a report submitted to the City Engineer.
4. Current FEMA 100-year flood plain limits shall be shown on the plan.
5. Plans need to be revised to include MMSD's 24" diameter sewer interceptor on the south and western property lines of the proposed development.
6. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
7. 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.

8. 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.
9. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required.
10. 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) Detain the 2 & 10-year storm events; b) Control 80% TSS (5 micron particle) off of new paved surfaces; c) Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; d) Provide substantial thermal control; e) Provide oil & grease control from the first 1/2" of runoff from parking areas; and f) 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.
11. 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](mailto: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.
12. 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).
13. 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.
14. 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>
15. 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>
16. 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.

17. 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 John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following thirteen (13) items:**

18. The applicant shall dedicate additional ten (10) ft. of right-of-way along East Spring Drive frontage for the orderly development of land and to provide transportation accommodations to serve this and other development. The exact dedication and street improvement requirements shall be reviewed and approved by the City Traffic Engineer.
19. The developer shall enter into a subdivision contract and make improvements to East Spring Drive, as determined by the City Traffic Engineer and City Engineer.
20. 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 Lisa Stern, Wisconsin Department of Transportation (608-246-5635), 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.
21. In accordance with the Common Council's adopted resolution, the development and parcel(s) is subject to special assessments for the High Crossing Boulevard Interchange Improvement District.
22. The applicant shall dedicate a twenty (20) foot wide public or private ped/bike easement from East Spring Drive right-of-way to the most southerly property line that shall be reviewed and approved by the City Traffic Engineer.
23. The applicant shall indicate the type of bicycle racks to be installed.
24. When the applicant submits final plans 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, one contiguous plan (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 two (2) feet overhang, and a scaled drawing at 1" = 20'.
25. The applicant shall provide scaled drawing at 1" = 100' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semi trailer and vehicle movements, ingress/egress easements and approaches.
26. The developer shall enter into a subdivision contract and make improvements to East Spring Drive, as determined by the City Traffic Engineer and City Engineer.
27. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
28. "Stop" signs shall be installed at a height of seven (7) feet at all driveway approaches 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.
29. 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.

30. 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 266-5978 if you have any questions regarding the following six (6) items:**

31. Meet all applicable State accessible requirements, including but not limited to:
- a. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
  - b. 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.
32. Show and dimension three 10' x 50' loading areas on the site for building #1 as well as the proposed loading area's for the other 2 future buildings, (two for bldg#2 and one for bldg #3). The loading berths shall be exclusive of aisle and maneuvering space, and shall have a vertical Clearance of at least fourteen (14) feet.
33. Signage must be reviewed for compliance with Chapter 31 of the Madison General Ordinances. 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 Development prior to signage installations.
34. Provide 38 bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan disbursed among the retail center. A minimum of seven of the stalls shall be conveniently located at the proposed 16,000 sq. ft. bldg and four stalls conveniently located at the proposed 10,000 sq. ft. bldg. Racks shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. 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
35. Parking lot plans with greater than twenty (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.
36. A reciprocal land use agreement or a cross access easement agreements shall be approved by the Traffic Engineer, City Engineer and Director of Planning and Development recorded in the Office of the Dane County Register of Deeds.

**Please contact Dennis Cawley, Madison Water Utility, at 261-9243 if you have questions about the following two (2) items.**

37. Each lot shall have a separate water service lateral connected to the public water main in East Springs Drive. Since Lot 1 does not have frontage on a public street, a private water service lateral easement shall be dedicated across either Lot 2 or 3.
38. All operating private wells shall be identified and permitted by the Water Utility in accordance with Madison General Ordinance 13.21. All unused private wells shall be abandoned in accordance with Madison General Ordinance 13.21. This property is not in a Wellhead Protection District. The Water Utility will not need to sign off the final plans, but will need a copy of the approved plans.

**Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following item.**

39. Fire Access / High-Piled plan submittal appears to be in compliance. Any parking lot changes could affect this.

**Please contact my office at 267-1150 if you have questions about the following three (3) items.**

40. That the Plan Commission make a determination that unique or unusual circumstances warrant special consideration to achieve a superior design solution in order to approve the proposed site plan in which the building placement along East Springs Drive is not entirely consistent with the site design standards of Section 33.02(f) (8). If such a determination is not made, the Commission shall require the site plan be revised to comply with the ordinance.
41. That as part of the first phase of development, the applicant provides a direct sidewalk connection(s) between East Springs Drive and the Steinhafels building, in compliance with the requirements of Section 33.02(f) (11). This detail shall be shown as part of plans approved for final sign-off. The applicant shall work with Planning Division staff to identify potential options to meet this condition, understanding that an interim solution may need to be developed, due to the conceptual nature of the pad site plans. An interim site plan may need to be prepared and approved by City reviewing agencies.
42. That the proposed bike path be designed and installed per applicable ordinance requirements and the approved recommendations of the Urban Design Commission, Traffic Engineering, and other reviewing agencies. The bike path shall be installed when requested by the City Traffic Engineer.

**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.**

**Please now follow the procedures listed below for obtaining your conditional use:**

1. Please revise your plans per the above and submit nine (9) 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. 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, but will need a copy of the approved plans.
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 conditional use.

If you have any questions regarding obtaining the conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if I 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, City Engineering Division  
John Leach, Traffic Engineering Division  
Scott Strassburg, Madison Fire Department  
Pat Anderson, Asst. Zoning Administrator  
Dennis Cawley, Water Utility

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

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*Signature of Applicant*

<b>For Official Use Only, Re: Final Plan Routing</b>			
<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 type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: Metro Transit