



Department of Planning & Community & Economic Development

Planning Division

Katherine Cornwell, Director

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June 14, 2016

David Walsh and Jon Lancaster
Walsh Properties, LLC
POB 1497
Madison, WI 53701

RE: Approval of a conditional use to add a vehicle access sales and service window to serve a restaurant in a multi-tenant retail building in CC (Commercial Center District) zoning at **5251 High Crossing Blvd.**

Dear Mr. Walsh and Mr. Lancaster:

At its June 13, 2016 meeting, the Plan Commission, meeting in regular session, approved your conditional use request to add a vehicle access sales and service window to serve a restaurant in a multi-tenant retail building in CC (Commercial Center District) zoning at 5251 High Crossing Blvd. In order to receive final approval of the conditional use and for permits to be issued, the following conditions must be met.

Please contact Brenda Stanley, Engineering Division (Main Office), at 261-9127 if you have questions regarding the following twelve (12) items:

1. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in the ROCK RIVER TMDL ZONE and by Resolution 14-00043 passed by the City of Madison Common Council on 1/21/2014. You will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR.
2. The Applicant shall 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 troester@cityofmadison.com (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))PDF submittals shall contain the following information:
 - a) Building Footprints
 - b) Internal Walkway Areas
 - c) Internal Site Parking Areas
 - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
 - e) Right-of-Way lines (public and private)
 - f) Lot lines or parcel lines if unplatted
 - g) Lot numbers or the words unplatted
 - h) Lot/Plat dimensions
 - i) Street names
 - j) Stormwater Management Facilities
 - k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

3. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
 - a) SLAMM DAT files
 - b) RECARGA files
 - c) TR-55/HYDROCAD/Etc
 - d) 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. (POLICY and MGO 37.09(2))
4. 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. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))
5. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at ttroester@cityofmadison.com, or Jeff Benedict at jbenedict@cityofmadison.com final document and fee should be submitted to City Engineering.
6. 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 5.0 tons per acre per year.
7. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, 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. (NOTIFICATION)
8. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
9. 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.
10. 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. (POLICY)

11. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
12. Comments apply only to the work proposed with this submittal.

Please contact Jeff Quamme, Engineering Division (Mapping), at 266-4097 if you have questions regarding the following two (2) items:

13. There is landscaping, benches and retaining walls planned in the general utility easements along the adjacent streets. Applicant is notified that they are solely responsible to coordinate the placement of these improvements with the utilities that are utilizing the easement to ensure these improvements do not impede the utility companies that may be utilizing the easement areas.

14. Tenant suite plan sheet A-2a is not for addressing purposes.

An addressing plan was created with the original project. It will need to be revised.

Conversion of addresses is:

Tenant A = 5251 High Crossing Blvd

Tenant A1= 5253 High Crossing Blvd

Tenant B = 5255 High Crossing Blvd

Tenant C = 5259 High Crossing Blvd

Tenant D = 5263 High Crossing Blvd

Tenant F = 5271 High Crossing Blvd

Include the official addresses on the tenant suite plan when submitting for a permit review.

Submit a PDF of all floor plans to izenchenko@cityofmadison.com with the revised addresses shown above. 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.

Please contact Eric Halvorson, Traffic Engineering, at 266-6527 if you have any questions regarding the following six (6) items:

15. Work with Traffic Engineering staff to provide improved pedestrian access to City View Dr. This includes, but is not limited to, steps up to the sidewalk on the eastern side site.
16. Ensure all ADA ramps have 5 x 5 foot flat surface to allow a wheel chairs to easily rotate 90 degrees and continue along the walkway.
17. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.

18. 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.
19. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
20. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following six (6) items:

21. Work with Zoning staff to establish the minimum bicycle parking requirement for the multi-tenant building. A minimum of one (1) bicycle stall is required per 2,000 sq. ft. of floor area for a general retail, service business, or office use. For a coffee shop, restaurant or restaurant-tavern, bicycle parking is required at a rate of 5% of capacity of persons. Provide Zoning staff with the floor area or capacity for existing and proposed building tenant spaces.
22. The number of required bicycle parking stalls will be re-evaluated as the individual tenant spaces are filled. As each tenant space is leased, the entire development must reflect compliance in the required amount, type and number of auto and bicycle parking spaces, to be reviewed prior to obtaining zoning approval for each use.
23. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
24. The vehicle access sales and service window shall comply with the supplemental requirements per Section 28.151 for a Vehicle Access Sales and Service Window.
25. 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.
26. 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 Dennis Cawley, Water Utility, at 266-4651 if you have any questions regarding the following item:

27. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

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.

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 your conditional use:

1. Please revise your plans per the above conditions and submit seven (7) copies of a complete, fully dimensioned and scaled 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. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. This submittal shall all also include one complete digital plan set in PDF format. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
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, and will not 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 conditional use approval.
4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816.
7. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, 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 261-9135.

Sincerely,

Chris Wells
Planner

cc: Brenda Stanley, City Engineering
Jeff Quamme, Engineering Mapping
Eric Halvorson, Traffic Engineering
Jenny Kirchgatter, Asst. Zoning Administrator
Bill Sullivan, Fire Department
Dennis Cawley, Water Utility

I hereby acknowledge that I understand and will comply with the above conditions of approval for 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. (Wells)	<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: