

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT**

September 15, 2008

**RE: LD. # 11614 Zoning Map Amendment LD. 3382 To Rezone – 5555 High Crossing Boulevard from C2 (General Commercial District) to C3 (Highway Commercial District)**

1. Requested Action: Approval to rezone the subject property from C2 (General Commercial District) to C3 (Highway Commercial District) to allow for the construction of an auto dealership.
2. Applicable Regulations: Section 28.12 (10) provides the process for zoning map amendments.
3. Report Prepared By: Kevin Firchow, AICP, Planner

**GENERAL INFORMATION**

1. Applicant: Wilde Family Limited Partnership; 1710A Highway 164; Waukesha, WI 53186  
Agent: Patrick Donahue, Wilde Automotive Management; 1710A Highway 164; Waukesha, WI 53186
2. Development Schedule: The project is scheduled to begin in Fall 2008 with completion estimated in Fall 2009.
3. Location: Approximately 4.49 acres located just south of the USH 151 / High Crossing Boulevard interchange at the intersection of High Crossing Boulevard and Nelson Road. Aldermanic District 17; Sun Prairie School District.
4. Existing Conditions: The site is currently undeveloped.
5. Proposed Land Use: The applicant requests rezoning approval to allow for the construction of an automobile dealership.
6. Surrounding Land Use and Zoning: The opposite (north) side of High Crossing Boulevard includes many automobile dealerships, zoned C3. The adjacent properties to the south are undeveloped and have a temporary Agricultural zoning. Nearby properties on the south side of High Crossing are zoned C3 and C2 and include a variety of uses, including an auto body repair establishment.
7. Adopted Land Use Plan: The Comprehensive Plan recommends Employment uses for this site. The Nelson Road Neighborhood Development Plan recommends Office/Service uses for this property (see discussion below).
8. Public Utilities & Services: The property is served by a full range of urban services.

## **STANDARDS FOR REVIEW**

This application is subject to the standards for zoning map amendments.

## **PLAN REVIEW**

The applicant requests a zoning map amendment to allow for the construction of a Honda dealership at the intersection of High Crossing Boulevard and Nelson Road. The property is undeveloped and currently zoned C2 (General Commercial District). The proposed rezoning to C3 (Highway Commercial District) would be necessary for the project to proceed. Motor vehicle sales are a permitted use under C3 zoning.

The 4.5-acre subject property is located on the south side of High Crossing Boulevard, between Nelson Road and Cross Hill Drive. The adjacent property immediately to the south is undeveloped, but the north frontage of High Crossing Boulevard and much of the south frontage south of Cross Hill Drive is developed with a variety of retail and commercial service uses. The north (USH 151-facing) side of High Crossing Boulevard includes several automobile sales and service establishments. The Crossing, a mixed-use project with an approved general development plan (GDP), sits across from the subject property on Nelson Road. Staff note a substantially revised GDP concept for the retail/mixed-use portion of this area has been presented to the Urban Design Commission featuring plans for a movie theater and retail development. Existing and planned residential development is located approximately 600 feet south of the subject site on Cross Hill Drive and along Congress Avenue.

The subject site has a triangular shape, with approximately 470 feet of frontage on High Crossing Boulevard and 1,000 feet on Nelson Road. The site generally slopes downward from the west, with the low point at the south eastern corner, near Nelson Road. Plans show this low area will be used for stormwater retention. Additionally, a 5,040 square foot porous pavement area is proposed adjacent to the retention pond. Retaining walls are planned along the entire southern property line and on a portion of High Crossing, near the driveway entrance.

Primary access to this site is planned through a driveway on High Crossing Boulevard, located over 500 feet south of the Nelson Road intersection. This drive and access point would be shared with the undeveloped property immediately to the south and cross-access easements would need to be secured. The site plan also shows a potential secondary access onto Nelson Road. This access would need to be approved by the Wisconsin Department of Transportation, as noted in the City Traffic Engineer's comments.

The facility includes two buildings. The principal structure would be used for sales, office, and service purposes. This building is located at the center of the property and has an area of approximately 46,000 square feet. The structure includes two usable levels. Office and sales functions would be on the ground level with service facilities located beneath. The site's

topography makes much of the structure appear to be one-story. The Nelson and High Crossing frontages have substantial window coverage with EIFS panels covering the balance of these facades. The projection marking the building's main entrance would be clad in aluminum panels. These facades include a sunshade that wraps around the front of the building. The street-facing service bays are recessed from the office/showroom portion of the facade. The non-street facing elevations consist primarily of EIFS, with windows, doors, and service entries as shown on the applicant's elevation drawings.

The second building is a 1,750 square foot car wash. This is a private facility and would not be used by the general public. This building is sited behind the main building. Elevations for this accessory structure have not been provided.

The applicant has included a landscape plan. The perimeter of the property includes primarily low-growing deciduous shrubs such as sumac and spirea and multiple deciduous trees including honey locust and maple. Three parking lot landscape islands are provided in the new car display area on the High Crossing side of the building, however none are proposed within the Nelson Road-facing display areas. Additionally, no planting islands are proposed adjacent to the High Crossing and Nelson Road rights-of-way, allowing for an uninterrupted display area of close to 100 vehicles. No foundation plantings are proposed along the building.

## **ANALYSIS AND CONCLUSION**

### Land Use and Intensity

The north side of High Crossing Boulevard is developed predominantly with multiple auto sales and service facilities, zoned C3 (Highway Commercial). Development on the south side of High Crossing includes C2 (General Commercial) zoned properties south of Promontory Place. These properties are developed with a variety of retail, motel, and financial service uses. This side of High Crossing was intended to provide an area for less intensive commercial development as a transition to residential development to the south. North of Promontory Place are vacant and developed parcels zoned C2 and C3, including the subject property. The two parcels that are zoned C3 were rezoned to accommodate auto dealerships in 1997 and 2005. Both of these zoning map amendments were approved, but neither development was constructed. Another automobile-related use has since located on one of the lots. The applicant has indicated that the existing vacant C3 parcel is not a suitable site alternative because it doesn't meet the State's minimum distance requirements between auto dealerships of the same brand. The subject property is believed by the applicant to meet this requirement.

### Consistency with Comprehensive and Neighborhood Plans

While most of the High Crossing frontage is recommended for General Commercial land uses in the Comprehensive Plan, the land use recommendations for the area south of High Crossing Boulevard (between Cross Hill Drive and Nelson Road), including the subject site is

recommended for Employment uses. Auto sales and service would not be consistent with the Employment designation, which reflects the Office/Service land use recommendation in the current Nelson Neighborhood Development Plan.

The Nelson Road Neighborhood Development Plan, first adopted in 1992, was most recently amended in 2005 to recognize automobile sales and automotive-related businesses as acceptable land uses on both sides of High Crossing Boulevard within the designated Retail/Service land use area extending south from Cross Hill Drive. This amendment reflected the reality that market changes and direct Interstate access has lead to the south side of High Crossing becoming much more automobile-oriented than originally envisioned. However, the neighborhood plan continued to recommend Office/Service uses and not Commercial/Retail/Service uses for the subject site and the other properties between Cross Hill Drive and Nelson Road, due to their prominent location and adjacency to existing and planned residential areas south and east of Cross Hill Drive.

Therefore, this proposal for an automobile sales establishment is not entirely consistent with the neighborhood development plan. The applicant has met multiple times with City staff and has been advised of concerns over consistency with the plans. At staff's suggestion, the applicant provided an informational presentation to the Plan Commission on June 6, 2008 to introduce the project and obtain preliminary feedback on the proposed rezoning and possible plan amendments. During this meeting, some members of the Commission indicated that they felt that the proposed dealership was not inconsistent with the development pattern on High Crossing Boulevard and that they could possibly support an amendment to the neighborhood development plan to allow the project and necessary zoning changes to proceed. Should the Plan Commission find that other zoning map amendment standards are met, staff recommend that the Commission also recommend to the Common Council a corresponding amendment to the Nelson Road Neighborhood Development Plan (see attached).

The potential plan amendment, prepared by staff, would change the land use recommendation for the subject property to Retail/Service. This would provide a consistent land use recommendation along the entire High Crossing and Nelson Road frontage equivalent to the area currently zoned C2. Staff believe the lands fronting onto Cross Hill Drive should retain their recommendation for Office/Service uses to provide a transition between the residential areas and intense highway commercial development. Arguably, some residential uses might also be considered here, but this potential is not addressed with the present amendment.

If the neighborhood development plan were to be amended, a corresponding amendment to the Comprehensive Plan would also be necessary at its next scheduled update.

### Design Considerations

This proposal was not subject to review by the Urban Design Commission. Staff has reviewed the plans and recommends certain changes be incorporated. This highly visible site is a key gateway into the city's eastside and plans for this area include recommendations for "high quality design and landscaping." The primary building design concern is the amount of EIFS proposed and its orientation on the building. The current elevation drawings show EIFS as the primary non-glass material on all facades. EIFS is considered to be an acceptable material when integrated into the overall design of the building. Additionally, EIFS is typically discouraged as a material used at the base of buildings. While EIFS can continue to be used, staff recommend that different materials be used at the base of the building and that the applicant incorporate other materials and/or design features drawings to address these concerns.

The site and landscape plan also show an uninterrupted row of display vehicle parking along both the High Crossing Boulevard and Nelson Road frontages. Staff understands the applicant's desire for visible display areas; however, additional landscape islands within this front row of parking would improve the aesthetics of this frontage. Staff also believe that foundation plantings are desirable.

It is also important that there be adequate screening along the southern property boundary, particularly since many of the service functions are located at the rear of the building. Future uses on the southern property are unknown at this time, but high-quality office-type uses more compatible with adjacent residential developments are recommended. Staff ask that additional detail be provided for the retaining wall and associated landscaping along the southern property line. It is also important that the exterior lighting for this establishment not shine onto adjacent properties.

Staff recommend these revisions be reviewed and approved by staff and that a formal referral to the Urban Design Commission is not needed at this time.

### Conclusion

The proposed rezoning is in many ways consistent with the emerging development pattern along High Crossing Boulevard. Adopted plans and existing zoning for this area intended that more intensive, highway-oriented uses (many of which were established prior to City annexation) be located along the north side of High Crossing Boulevard. The south side of High Crossing Boulevard was planned for less intensive employment and commercial uses to provide a transition to the residential development to the south.

In the years since the Nelson Neighborhood Development Plan was first adopted, the properties along the south frontage of High Crossing Boulevard south of Cross Hill Drive have been developed primarily with highway-oriented uses, including several motels, a drive-through credit union, a sports bar, and an automobile service and support facility for a dealership located on the

north side of the boulevard. A new motor vehicle dealership in this area was approved in 1997, but never built. In 2005, as part of the process of approving another motor vehicle dealership, the Nelson Neighborhood Development Plan was amended to recognize automobile-oriented businesses as appropriate uses within the designated Retail/Service area south of Cross Hill Drive. This dealership also has not been built.

While an automobile dealership is not the type of use originally envisioned for this highly-visible location, no other proposal for this, or the adjacent parcel has advanced to the application stage for one reason or another since the neighborhood development plan was first adopted in 1992. As noted above, other developments further south along High Crossing Boulevard have also been somewhat different in character than originally hoped, and the neighborhood plan has been amended several times to accommodate these. It seems likely now that substantial changes may be proposed to The Crossing mixed-use proposal north of Nelson Road. Given potential alternatives that could be developed on this site, even under the current C2 zoning, it may be that a well-designed automobile dealership is not necessarily inconsistent with broad neighborhood objectives. Compared to the larger properties to the south, the subject site is not immediately adjacent to existing and planned residential developments, and proper screening should be able to mitigate the visual impacts of the dealership on future development on Cross Hill Drive.

Amendments to the Nelson Neighborhood Development Plan and the Comprehensive Plan would be required if the Plan Commission finds that other zoning map amendment standards are met and approval is recommended. Planning Division staff have prepared an amendment to the neighborhood plan that would change the recommended use on the subject property while maintaining an Office/Service recommendation on lands between the subject property and residential development to the south. Staff further recommend that if approved, the applicant address the design and aesthetic concerns noted in this report. These recommendations reflect the general design recommendations contained in the adopted plans, recognizing this location as a highly-visible gateway into Madison's east side.

The Planning Division does not object to this project being approved.

### **RECOMMENDATION**

The Planning Division does not object to the approval of this zoning map amendment. If the Plan Commission believes that the proposed vehicle dealership is an appropriate land use and that the zoning map amendment standards are met, then the Commission should forward the attached "Amendment to the Nelson Neighborhood Development Plan" (Legistar File Number 11792) to the Common Council with a recommendation of **approval**.

Further, the Plan Commission should then also forward Zoning Map Amendment 3382, rezoning 5555 High Crossing Boulevard from C2 (General Commercial District) to C3 (Highway Commercial District), to the Common Council with a recommendation of **approval**, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the applicant secure (and provide evidence of) cross access easements between this property and the adjacent property to the south where the shared drive is shown on High Crossing Boulevard.
3. That the applicant's site plan indicates whether or not the secondary Nelson Road driveway will be provided, upon receiving a final decision from the Wisconsin Department of Transportation on whether or not access will be granted.
4. That the applicant revises site/landscaping plans to incorporate at least four (4) additional landscaped islands along the front row of display parking adjacent to the High Crossing Boulevard and Nelson Road frontages.
5. That the applicant revises the landscape plan to incorporate foundation plantings along the High Crossing and Nelson Road facades.
6. That additional detail be provided on the retaining wall and associated landscaping along the southern property line, per approval of Planning Division Staff.
7. That the applicant revises the building elevations to reduce the amount of EIFS, specifically identifying an alternative durable material to be used along the base of the building.



Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
1 866 704 2315 Textnet

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dalley, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.

**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Manager**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

**Financial Officer**  
Steven B. Danner-Rivers

DATE: August 27, 2008  
TO: Plan Commission  
FROM: Larry D. Nelson, P.E., City Engineer  
SUBJECT: 5555 High Crossing Boulevard Rezoning

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Any damage to pavement will require restoration in accordance with the City's Patching Criteria.
2. Submit soil borings with proposed storm water management plan. It appears that proposed basin may encounter bedrock.
3. The public sidewalk installation shall require significant grading and retaining walls.
4. Sanitary lateral cleanouts need to be added to bends.
5. Label sanitary 6" force main on Nelson Road.
6. Outstanding City of Madison deferred sewer assessments are due upon approval.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.**

Name: 5555 High Crossing Boulevard Rezoning

**General**

- 1.1 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.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions,

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demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.

- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.
- 1.5 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.
- 1.6 Submit a PDF of all floor plans to Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed. 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.
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for this development. The Developer shall indicate the method of payment as provided below:
  - 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
  - 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall receive the invoices to pay the outstanding impact fees at the time of permit issuance. The following shall be required prior to plat sign off;
    - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
    - b) All information shall be transmitted to Janet Dailey by e-mail at [jdailey@cityofmadison.com](mailto:jdailey@cityofmadison.com), or on a CD to:  
  
Janet Dailey  
City of Madison Engineering Division  
210 Martin Luther King Jr. Blvd  
Room 115  
Madison, WI 53703
    - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

**LOTS / BUILDINGS WITHIN THIS SUBDIVISION / DEVELOPMENT ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE AT THE TIME BUILDING PERMIT(S) ARE ISSUED.**

#### Right of Way / Easements

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.

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- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
  - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
  - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.  
The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
- a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
  - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

#### Streets and Sidewalks

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.

- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along High Crossing Boulevard and Nelson Road.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along \_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** 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. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 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.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.
- 3.18. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - [dkahl@cityofmadison.com](mailto:dkahl@cityofmadison.com) or 266-4816.

**Storm Water Management**

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- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 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.
- 4.3 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.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.
- 4.5 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.
- 4.6 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.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 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.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle) off of new paved surfaces
  - Control 80% TSS (5 micron particle) off of new paved surfaces
  - Provide infiltration in accordance with Chapter 37 of the Madison General Ordinances
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.
  - 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.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, 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:
  - 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) All Underlying Lot lines or parcel lines if unplatted
  - g) Lot numbers or the words "unplatted"
  - h) Lot/Plat dimensions
  - i) Street names

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file.

5

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 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.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

#### Utilities General

- 5.1 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>.

- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.

- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.

- 5.4 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>.

- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.

- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

#### Sanitary Sewer

- 6.1 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>.

- 6.2 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.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 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.



## Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608 266 4761  
TTY 866-704-2315  
FAX 608 267 1158

September 4, 2008

Revised September 9, 2008

TO: Plan Commission

FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager

SUBJECT: **5555 High Crossing Blvd – Rezoning – C2 to C3 Wilde Honda Dealership**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. The site plan shall be revised to dedicate the future roadway extension of Crossing Place as shown in the proposed amendment to the Nelson Neighborhood Development Plan. The final right of way shall be reviewed and approved by the Traffic Engineer.
2. If the automobile laundry has some type of indoor drying equipment, the exit door shall be forty (40) feet beyond the dryers. However, the Director of the Inspection Unit may reduce this distance requirement when the applicant provides a noise study demonstrating that the sound levels of the indoor drying equipment and laundry equipment do not exceed 65 decibels (dbs) between 7:00 a.m. and 7:00 p.m. and 60 decibels (dbs) between 7:00 p.m. and 7:00 a.m. at a residential property line, and meets Section 28.08, Madison General Ordinances, and all other requirements.
3. Wisconsin Dept. of Transportation (WDOT) has all access control on Nelson Rd. and High Crossing Blvd. If the applicant proposed access is approved by WDOT, the applicant will need to modify the driveway approach to a Class 3 and signage design. 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.
4. The main driveway approach entrance on High Crossing Blvd. shall be a special design "Street Type Entrance" maximum of Thirty (30) feet in width with a radius of twenty-five (25) feet at the right-of-way. The egress shall be two lanes with a fifteen (15) foot lanes separated by a double yellow epoxy line. A six (6) inch epoxy white lines for the six (6) foot wide crosswalk and twenty-four (24) inch epoxy white stop bar five (5) feet behind the crosswalk shall be painted at the intersection of the street. The Applicant shall provide detail drawing of the approach. In addition, a note shall be shown on the plan, " ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTIAN BY THE PROPERTY OWNER."

## PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

5. The applicant shall indicate the type of bicycle racks to be installed.

### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

6. 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), 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'.
7. The applicant shall demonstrate semi truck delivery of vehicles ingress, egress and loading / unloading area on-site. The applicant shall not use the High Crossing Blvd or Nelson Rd for loading and unloading vehicles.
8. When site plans are submitted, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
9. "Stop" and "No Left Turns" signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approaches High Crossing Blvd. and Nelson Rd. 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.
10. The applicant shall design the surface employee, customer and service parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The display areas maybe noted as display outlined and does not need to be striped.
11. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.
12. 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.
13. 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 John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Patrick Donahue  
Fax: 262-542-1653  
Email: sbwam@execpc.com



**CITY OF MADISON  
INTERDEPARTMENTAL  
CORRESPONDENCE**

**Date:** September 15, 2008

**To:** Plan Commission

**From:** Patrick Anderson, Assistant Zoning Administrator

**Subject:** 5555 High Crossing Blvd.

---

**Present Zoning District:** C-2

**Proposed Use:** Car Dealership

**Requested Zoning District:** C-3

MAJOR OR NON-STANDARD REVIEW COMMENTS (Comments which are special to the project and/or may require additional work beyond a standard, more routine project). **NONE**

GENERAL OR STANDARD REVIEW COMMENTS

1. 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.
2. Lighting for an outdoor merchandising area, the maximum level in 75% of the lot shall not exceed 20 footcandles. A contiguous area not to exceed 25% of the lot may be illuminated to a level which shall not exceed 40 footcandles.
3. 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.
4. Provide 18 bike parking stalls in a safe and convenient location on an impervious

surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user 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.

5. 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 (1) 10' x 50' loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
6. Meet all applicable State accessible requirements, including but not limited to:
  - a. Provide a minimum of two 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 60" 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.

**ZONING CRITERIA**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot Area	Existing Lot	Existing Lot
Lot width	50'	Adequate
Usable open space	n/a	n/a
Yards	To be reviewed at plan submittal	

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	repair bays (28)      56	Display              177      (1)
	Emp (91)              45	Customer            148
	Repair Mgr.            1	New car storage    18
	Office Showroom	<u>Employees</u> 30
	<u>Inventory</u> 30	Total                373
	Total                  132	
Bike Parking	1 per each 10 car stalls not including display stalls	18                    (4)

Accessible stalls		(6)
Loading	2 -- (1) 10'x50'	(5)

<b>Other Critical Zoning Items</b>	
Urban Design	No
Flood plain	No
Utility easements	Yes
Barrier free (ILHR 69)	Yes (At development)

With the above conditions, the proposed project **does** comply with all of the above requirements.



# CITY OF MADISON FIRE DEPARTMENT

## Fire Prevention Division

325 W. Johnson St., Madison, WI 53703-2295  
Phone: 608-266-4484 ♦ FAX: 608-267-1153

DATE: 7/29/08  
TO: Plan Commission  
FROM: Edwin J. Ruckriegel, Fire Marshal  
SUBJECT: **5555 High Crossing Blvd.**

The City of Madison Fire Department (MFD) has reviewed the subject development and has the following comments:

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None.

## **GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

1. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
  - a. The site plans shall clearly identify the location of all fire lanes.
  - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
  - c. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building is fully sprinklered.
  - d. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
  - e. Per IFC 503.3 Show approved "fire lane, no parking" signs posted on the site plan. A max of 150- feet on center. Signs must be visual and easily read from any location on the fire lane. Fire lanes 20-27 feet wide will be posted as fire lane on both sides, 28-35 feet wide shall be posted fire lane on the appropriate side only.
2. 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 34.20 for additional information.

Please contact Scott Strassburg, New Construction Inspector at 608-261-9843 if you have questions regarding the above items.

cc: Bill Sullivan



Department of Planning & Community & Economic Development  
 Planning/Neighborhood Preservation & Inspection/Economic & Community Development  
 Mark A. Olinger, Director

*CAMMCLAY*

Bradley J. Murphy  
 Planning Division  
 215 Martin Luther King, Jr. Boulevard  
 P.O. Box 2985  
 Madison, WI 53701-2985  
 (608) 266-4635

**REVIEW REQUEST FOR:**

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

5555 High Crossing Boulevard  
 RZ : C2 to C3  
 Construct a Honda Dealership Facility  
 Wilde Family Limited Partnership/Patrick Donahue - Wilde Automotive Management

**PLANNING DIVISION CONTACT:** Kevin Firchow

**RETURN COMMENTS BY:** 04 September 2008

**PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:**

Applicant E-mail: sbwam@execpc.com Fax: 262-542-1653

Date Submitted: 16 July 2008 Plan Commission: 15 September 2008

Date Circulated: 21 July 2008 Common Council: 07 October 2008

**CIRCULATED TO:**

- |                                               |                                                            |                                                 |
|-----------------------------------------------|------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> ZONING               | <input type="checkbox"/> DISABILITY RIGHTS                 | <input type="checkbox"/> ALD. _____ DIST. _____ |
| <input type="checkbox"/> FIRE DEPARTMENT      | <input checked="" type="checkbox"/> POLICE DEPT. - THURBER | <input type="checkbox"/> MADISON GAS & ELECTRIC |
| <input type="checkbox"/> PARKS DIVISION       | <input type="checkbox"/> CITY ASSESSOR - M. RICHARDS       | <input type="checkbox"/> ALLIANT ENERGY         |
| <input type="checkbox"/> TRAFFIC ENG.         | <input type="checkbox"/> MADISON METRO - SOBOTA            | <input type="checkbox"/> A T & T                |
| <input type="checkbox"/> CITY ENG. - DAILEY   | <input type="checkbox"/> MMSD BOARD, C/O SUPT.             | <input type="checkbox"/> T D S                  |
| <input type="checkbox"/> CITY ENG. - PEDERSON | <input type="checkbox"/> PUBLIC HEALTH - SCHLENKER         | <input type="checkbox"/> MT. VERNON TELE        |
| <input type="checkbox"/> WATER UTILITY        |                                                            |                                                 |
| <input type="checkbox"/> CDBG - CONSTANS      | <input type="checkbox"/> NEIGHBORHOOD ORGANIZATION         |                                                 |
| <input type="checkbox"/> REAL ESTATE - EKOLA  |                                                            |                                                 |

Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.

One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.

The above is located in your district. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

**RETURN COMMENTS TO: PLANNING DIVISION, DEPT. OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT, ROOM LL100 MMB, 215 MARTIN LUTHER KING JR. BLVD.**

**NO COMMENTS / YOUR COMMENTS:**

*No Public Safety Concerns —*  
*Cap [Signature]*

9/10/2008

Attn: Chair: Nan Fey

Madison Plan Commission: hearing September 15, 2008 6 pm

Madison Municipal building, suite LL100

P.O. box 2985

Madison, Wisconsin 53701



RE: NELSON NEIGHBORHOOD DEVELOPMENT PLAN for AMENDMENT

I wish to present a few words about the proposed amendment to allow a new auto agency to acquire land and build in the Nelson Road, American Family neighborhood, east of High Crossing blvd, north of Cross Hill Dr. and south of Nelson Road.

I, Harry Field, am the owner of the crop land east of the mentioned land being considered for the proposed amendment. Sec #23,T8 R10 town of Burke and City of Madison. We have held this cropland for many years and have no desire to manipulate its existence for future development or profit. We are not developers. I reside in the city of Madison.

The last ten years of raising a crop on this land adjacent to the amendment area have been difficult with the increasing water/erosion coming across the cropland from the poorly constructed sediment pond that is on the east end of the existing Cross Hill Dr. This inadequate pond was approved by the City of Madison when Wall Properties was developing this land in the mid 90's. Mr. Wall asked us to sign off with our approval on this pond and we declined, knowing it would fail, as his development of a blacktop road and building for profit would add more water volume every year. It did. Erosion to the crop land became a serious issue to us immediately thereafter.

We asked verbally and sent letters for help to City of Madison Engineering. We got an engineer to view the problem and he agreed that there was a problem. There were discussions to do something constructive but only words came forth to solve the problem of erosion to our cropland. The last correspondence, dated 4/17/2007, came from Larry Nelson who suggested we agree to a North South road from the pond north toward Nelson road, thru our property, and probably at our expense.

We did not respond to the letter from Larry Nelson, chief engineer to the City of Madison. We entered into discussions with the Dane County Land & Water Resources Department together with the U.S. Dept of Agriculture and devised a plan that in Aug of 2007, large earthmoving equipment would reshape/contour the eroded land and force the water thru a channel of seeded/planted grassland. We bore much of this financial outlay ourselves. We informed Madison Engineering via letter, 6/27/07, of our intentions but we did not ask City of Madison for any financial help. We believe this land reshaping is going to help,

but not cure the ever growing water run-off onto our property. We feel that the City of Madison Engineering which approved such an ill fated water collection pond and it's non-action to harmed parties, be held accountable in the future.

We are asking for your support and insistence that storm water run-off, grading and alignment issues be studied and recommendations followed if you allow an amendment change to the Nelson Neighborhood development plan.

We personally feel you should follow the original design of the City of Madison Planning Divison and not allow an amendment to this site. This site is a prominent and visual "gateway" to the city of Madison. It deserves something better.

Attn: Mr. Michael Waidelich : Please present this letter with the "packet" to be presented to Madison Plan commission, Attn: chair, Nan Fey, for the scheduled public hearing Sept 15,2008 to be held in the city-county bldg at 6:00 pm . I plan to attend and will be available for any questions from the Chair person.

Nancy M Field

Copy

Harry M Field  
1150 Sherman Ave  
Madison WI 53703

6/27/07

Dept of Public works  
City of Madison Engineering Division  
210 Martin Luther King Blvd  
Room 115  
Madison WI 53703

Attn:  
Larry D. Nelson, P.E. &  
Jeff Benedict

This is regarding section# 23, T8 R10 town of Burke, adjacent to Lexington Ridge Apts in Madison, at the end of Cross Hill Drive. This is worked/cropped farm land I own bordered by Nelson road and Felland road.

I have met with Duane Wagner of the Dane County Land Conservation and I am going forward with their plan of placing a land diversion on my land to help alleviate the problem of water erosion the city of Madison engineering division has caused for me. The existing wheat on the property in question will soon be harvested and land contouring machinery will soon be upon it creating water diversions. Seeding with grasses shall follow immediately about mid August. You may want to contact Mr. Jon Lancaster directly about this movement. We do not intend to cross onto his properties.

If this planned diversion fails in any way I shall be back in contact with you and and your "do-nothing" attitude. As you know the problem was created by the City of Madison Engineering Division and I have frequently appealed directly to you as agent of the city of MSN engineering division. On July 2<sup>nd</sup> 2002 we met at the site and you, Jeff Benedict, told me that the weeper had definitely failed in its design. Since then little besides lip service has been done about the erosion you have caused to my land. The current cost of this diversion to take place is being shared by Dane County Land Conservation and me.

Sincerely,

Harry M. Field

cc: Duane Wagner, Dane County Land Conservation  
Robert W. Kuehling, Attorney  
Howard M Field





Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
608 267 8677 TDD

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
David L. Benzschawel, P.E.  
Gregory T. Fries, P.E.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

April 16, 2007

Mr. Harry M Field  
1150 Sherman Av  
Madison, WI 53703

RE: 5701 Nelson Road/Ongoing Drainage Issue


Dear Mr. Field,

As you know, development of portions of the High Crossing Plat drain onto agricultural lands owned by you. You have one parcel in the City and another within the Town of Burke. The development constructed measures to mitigate the impacts of the discharge. However, you have occasionally complained of problems from this runoff.

The City would like to resolve the drainage issue and complete the construction of Cross Hill Drive with the development surety we have retained for this purpose. This can only be accomplished with your cooperation and agreement.

If you are interested in pursuing this, and allowing drainage improvements through your parcels, please contact Mike Dailey of my staff at 066-4058.

Sincerely,

  
Larry D. Nelson, P.E.  
City Engineer

LDN:MRD:jap

cc: Janet Dailey  
Jeff Benedict  
Lexington Ridge Apartments, LLC  
Bryan R Mantsch, Managing Member  
4315 W Carriage Ct, Mequon, WI 53092