



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

****BY E-MAIL ONLY****

April 2, 2024

Jeff Kraemer
Kraemer Development, LLC
8391 Greenway Blvd., Suite 130
Middleton, Wisconsin 53562

RE: Consideration of a conditional use in the Commercial Center (CC) District for a vehicle access sales and service window for a coffee shop tenant in a proposed multi-tenant commercial building at 5454 Buttonwood Drive/ 4902 Amcenter Drive. (LNDUSE-2024-00010; ID 81921)

Dear Jeff;

On March 25, 2024, the Plan Commission found the standards met and **conditionally approved** your conditional use request subject to the conditions of approval in the following sections, which shall be satisfied prior to issuance of building permits for your project:

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following twelve (12) items:

1. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.).
2. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608)261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
3. An Erosion Control Permit is required for this project.
4. A Storm Water Management Report and Storm Water Management Permit is required for this project.
5. A Storm Water Maintenance Agreement (SWMA) is required for this project.
6. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP

permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.

7. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used.
8. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- by 17-inch copy of an erosion control plan (PDF electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
9. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
10. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
11. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website. The Storm Water Management Plan & Report shall include compliance with the following:

Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. If calculations are done by hand or are not available electronically, the hand copies or printed output shall be scanned to a PDF file and provided to City Engineering.

Detain the 200-year storm events, matching post-development rates to pre-development rates and using the design storms identified in MGO Chapter 37.

Provide infiltration of 90% of the pre-development infiltration volume.

Treat the first half inch of runoff over the proposed parking facility and/or drive-up window.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

12. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Julius Smith of the City Engineering–Mapping Section at (608) 264-9276 if you have any questions regarding the following three (3) items:

13. Show and label the Private 20-Foot Wide Sidewalk and Landscape Easement per Document No. 3975781 along the easterly side of this site.
14. Provide for review a private reciprocal sidewalk easement or amendment to Document No. 3975781 for the private sidewalk along the southerly side of this site.
15. Remove all references of 4902 Amcenter Drive. On the floor plans remove Suite 1, Suite 2, Suite 3. The addresses for the tenant spaces are: Suite 1 shall have an address of 5450 Buttonwood Drive, Suite 2 shall have an address of 5454 Buttonwood Drive, Suite 3 shall have an address of 5458 Buttonwood Drive. The site plan, floor plans, and documents shall reflect proper street addresses for the property as reflected by official City of Madison Assessor's and Engineering Division records.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following fifteen (15) items:

16. The applicant shall sign their westernmost driveway as “Right Turn Only.”
17. The applicant shall provide a queuing model showing the capacity for six (6) vehicles from the ordering board and three (3) additional vehicles from the service window. If the six-vehicle requirement cannot be met, a second queuing lane may be required.
18. All vehicle service window access aisles shall have a minimum outside turning radius of 30 feet.
19. The applicant shall submit for review a waste removal plan, which shall include vehicular turning movements.
20. The applicant shall submit for review a commercial delivery plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.
21. 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; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
22. The developer shall post a security deposit prior to the start of development. In the event that modifications need to be made to any City owned and/or maintained traffic signals, street lighting,

signing, pavement marking and conduit/handholes, the Developer shall reimburse the City for all associated costs including engineering, labor and materials for both temporary and permanent installations.

23. 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.
24. All parking facility design shall conform to MGO Section 10.08(6).
25. All bicycle parking adjacent pedestrian walkways shall have a two-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
26. All pedestrian walkways adjacent parking stalls shall be seven (7) feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by the Traffic Engineering Division.
27. The applicant shall adhere to all vision triangle requirements as set in MGO Section 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to: substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO Section 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
28. The applicant shall provide a clearly defined five-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.
29. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all Class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
30. The applicant shall show the dimensions for the proposed Class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.

Please contact Trent W. Schultz of the Parking Division at (608) 246-5806 if you have questions about the following item:

31. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO Section 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have questions about the following seven (7) items:

32. Show the building setback distances measured from the building to the property lines.
33. Bicycle parking for the commercial tenant spaces shall comply with the requirements of MGO Sections 28.141(4)(g) and 28.141(11) and will be reviewed prior to obtaining zoning approval for each use. Work with Zoning staff to determine the minimum bicycle parking requirement. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance.
34. Provide adequate development frontage landscaping adjacent the Buttonwood Drive and Amcenter Drive frontages per Section 28.142(5) Development Frontage Landscaping. One overstory deciduous tree and five shrubs shall be planted for each 30 lineal feet of lot frontage. Two ornamental trees or two evergreen trees may be used in place of one overstory deciduous tree. Note that landscaping must be installed on the private property.
35. Provide details showing that the primary street façade meets the door and window opening requirements of MGO Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least 60% of the length and at least 40% of the area of the ground floor of the primary street facade. At least 50% of windows on the primary street facade shall have the lower sill within three feet of grade. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to 20% of the required area of the openings.
36. Exterior lighting shall be provided in accordance with MGO Section 29.36. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.
37. 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.
38. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

39. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days' notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Avenue. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining permits for your project:

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve 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 Plan Commission and the conditional use standards. This approval shall become null and void two (2) years 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 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to one (1) year from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division
Sean Malloy, Traffic Engineering Division
Trent W. Schultz, Parking Division
Jenny Kirchgatter, Asst. Zoning Administrator
Jeff Belshaw, Madison Water Utility
Matt Hamilton, Madison Fire Department

LNDUSE-2024-00010			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Parking/ TDM
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other:

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*