



Department of Planning & Community & Economic Development

Planning Division

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April 25, 2017

Jim Triatik
Sullivan Design-Build
1314 Emil Street
Madison, WI 53713

RE: Legistar #42563 -- Approval of two demolition permits and a conditional use to demolish two commercial buildings and construct an automotive sales facility at **5702-5712 Odana Road**.

Dear Mr. Triatik:

At its April 24, 2017 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your two demolition permit requests and a conditional use request to demolish two commercial buildings and construct an automotive sales facility at **5702-5712 Odana Road**, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact Timothy Troester of the City Engineering Division at 267-1995 if you have any questions regarding the following fifteen (15) items:

1. Proposed sanitary sewer lateral for the proposed building appears to be connected to a privately owned sewer that the City does not know the size for. Applicant shall confirm the private main size and if the private sewer main is to be used, applicant shall obtain an ownership/ maintenance agreement use of the private sewer main (recorded at register of deeds). Alternatively, the applicant can connect to the Public sewer stubbed into the lot (connect to SAS 3160-004) and not obtain any agreement for its use.
2. Prior to approval, the owner or owner's representative shall obtain a permit to plug each existing sanitary sewer lateral that serves a building which is proposed for demolition. For each lateral to be plugged the owner shall complete a sewer lateral plugging application and pay the applicable permit fees. NOTE: As of January 1, 2013 new plugging procedures and permit fees go into effect. The new procedures and revised fee schedule is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
3. All outstanding Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder (608-261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff. (MGO 16.23(9)(d)(4))

4. 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.
5. 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 ttroester@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).
6. 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))
7. 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.
8. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.

9. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm> (NOTIFICATION)
10. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to Reduce TSS by 80% off of the proposed development when compared with the existing site.
11. 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.
12. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
13. 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)
14. 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)
15. All damage to the pavement on Odana Rd, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

Please contact Jeff Quamme of the City Engineering Division—Mapping Section at 266-4097 if you have any questions regarding the following six (6) items:

16. The letter of intent indicates that the applicant intends to purchase the 30' wide leg of Lot 1, CSM 4672 that lies between the two properties owned by the applicant. This will result in the adjacent parcel not fronting or abutting a public Street, thus being dependent upon this site for access and other services. This is a Planned Multi-Use Site per the Land Division Ordinance. Applicant shall provide for review reciprocal easements and agreements including, but not limited to, access, parking, utilities, common areas, storm management that are necessary to accomplish the development as proposed. The document(s) shall then be executed and recorded and copies provided prior to final site plan sign off.

17. A portion of the 25' area for building setback and landscape purposes as set forth by CSM No. 1620 along Odana Rd will be required to be released for the parking lot proposed within that area. The partial release can be completed per Chapter 236.293 of the Wisconsin Statutes. Applicant must prepare metes and bounds legal description and scale map exhibit for the portion to be released and provide to Engineering Land Records Coordinator Jeff Quamme for review (608-266-4097) (jrquamme@cityofmadison.com). Upon approval of the exhibits and payment of the required \$500 administration fee (check payable to City of Madison Treasurer) to cover staff time and recording costs, Engineering will create the necessary Office of Real Estate Services (ORES) Project. ORES staff will then administer the release document and record with the Dane County Register of Deeds. This shall be completed prior to final site plan sign off.
18. The address of 5712 Odana Rd will be retired with the demolition of that existing building. The address of the proposed building is 5710 Odana Rd.

The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

19. Add the legal description on the Proposed Site plan. Also make the property lines more defined so that they can be easily recognized on all of the plan sheets.
20. The lots within and adjacent to this site are inter-dependent upon one another for storm water runoff conveyance and 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 and recorded at the Dane Co Register of Deeds. (POLICY)
21. The majority of the 20' Storm Sewer Easement per Doc No. 1421317 (CSM 1620) has been released by Doc No. 5067031. The portion that has been released shall be removed from the plans.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following five (5) items:

22. In order to maintain order ingress and egress from the site the applicant shall make one of two alterations to the Odana Road entrance closest to the proposed building. Option 1: Remove the three stalls to the southeast of the main door, possibly making them inventory parking only. Option 2: move the entrance 25 feet to the east. Both options remove the likely conflicting movement of vehicles exiting the stalls near the main buildings front door and vehicles ingress/egressing the site.
23. 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.

24. 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.
25. 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.
26. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

Please contact Jenny Kirchgatter of the Zoning Division at 266-4429 if you have any questions regarding the following fifteen (15) items:

27. Show the front yard setback on the site plan. The proposed building may be setback a maximum of 100 feet from the front property line if traffic circulation, drainage and/or other site design issues are shown to require additional space.
28. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
29. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
30. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
31. This project is designed as a planned multi-use site. Per Section 28.137(2)(a), a planned multi-use site shall have a plan and reciprocal land use agreement approved by the Traffic Engineer, City Engineer and Director of Planning and Community and Economic Development recorded in the office of the Dane County Register of Deeds.
32. Provide a fully detailed plan of the existing site at 5706 Odana Road which shares access with the proposed auto sales facility at 5712 Odana Road. Show site details including the existing parking lot, accessible stalls, bicycle parking, and landscaping.
33. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
34. Provide a parking lot site information block, including the numbers and types of vehicle parking stalls (accessible, employee and customer stalls) and bicycle stalls. Label the various types of parking stalls and inventory stalls on the site plan.

35. Bicycle parking for the auto sales facility shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). The bicycle parking requirement for an auto sales facility is one (1) bicycle stall per five (5) employees. Provide a minimum of seven (7) short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
36. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade.
37. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and screening. All rooftop equipment shall be screened from view from adjacent streets and public rights-of-way per Sections 28.060(2)(f) and 28.142(9)(d). Screens shall be of durable, permanent materials that are compatible with the primary building materials.
38. Show the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building.
39. Exterior lighting provided shall be in accordance with City of Madison General Ordinances Section 10.085. Provide an exterior lighting plan and fixture cut sheets with the final plan submittal.
40. 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.
41. 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 Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following two (2) items:

42. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.
43. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Captain Jerry Buechner (608) 516-9195.

Please contact Janet Schmidt of the Parks Division at 261-9688 if you have questions regarding the following three (3) items:

44. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Please submit an existing inventory of trees (location, species, & DBH) and a tree removal plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
45. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brian Meiller – bmeiller@cityofmadison.com or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part2.pdf>.
46. Existing street trees shall be protected. Please include the following note on the site plan:
Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266- 4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2013/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.

Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following three (3) items:

47. 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 Madison Water Utility shall be notified to remove the water meter prior to demolition.

48. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.
49. 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/plumberscontractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. 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.

Please contact Tim Sobota, Metro Transit, at 261-4289 if you have any questions regarding the following three (3) items:

50. In coordination with public works improvements, the applicant shall maintain or replace the concrete terrace at the existing Metro bus stop on the south side of Tokay Boulevard, east of Odana Road (#6265). [See attachment "5712or_METROREVISED.pdf"]
51. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.
52. Metro Transit operates daily service along Tokay Boulevard through the Odana Road intersection. Bus stop ID #6265 is adjacent the proposed project site along the south side of Tokay Boulevard, with the bus stop zone encompassing the area from the existing bus stop sign pole west back towards the intersection.

Please contact my office at 261-9135 if you have questions regarding the following two (2) items:

53. That prior to final sign-off, the existing 25-foot building setback shall be released as noted by the Engineering/Engineering-Mapping Divisions. In the alternative, plans may be revised to comply with the setback.
54. That all parking and inventory areas are clearly labeled for approval by staff prior to final sign-off.

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

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 Jessica Vaughn, Urban Design Commission Secretary, at 267-8733 if you have any questions about those conditions.

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

1. Please revise your plans per the above conditions and submit **eleven (11) 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, 126 S. Hamilton Street. 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.

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. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. 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. 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, demolition 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

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for these demolition and conditional use permits.</p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>

- cc: Timothy Troester, City Engineering
 John Sapp, City Engineering
 Jeff Quamme, Engineering Mapping
 Eric Halvorson, Traffic Engineering
 Jenny Kirchgatter, Zoning
 Bill Sullivan, Fire Department
 Janet Schmidt, Parks
 Adam Wiederhoeft, Water Utility
 Tim Sobota, Metro Transit
 Jessica Vaughn, Urban Design Commission
 Bryan Johnson, Recycling Coordinator

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 checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Metro Transit
<input checked="" type="checkbox"/>	Water Utility		