



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

**Copy of
ORIGINAL STAFF REPORT**

September 21, 2009

Ken Kosciak
Kosciak Construction, Inc.
4214 Major Avenue
Madison, WI 53716

RE: Approval of a conditional use to allow the construction of a truck terminal and waste transfer station at 4002-4058 Kipp Street

Dear Mr. Kosciak:

At its September 14, 2009, meeting, the Plan Commission, meeting in regular session, approved your client's application for approval of a conditional use to allow the construction of a truck terminal and waste transfer station at 4002-4058 Kipp Street, subject to the conditions below. In order to receive final approval of the conditional use, the following conditions must be met:

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

1. Plat improvements need to be constructed prior to final approval of conditional use. Alternately, permit approval shall be granted for site development concurrent with the plat improvements if the applicant provides an interim construction access plan acceptable to the City Engineer, Fire Department and Building Inspection.
2. Any damage to the pavement will require restoration in accordance with the City's Patching Criteria.
3. This submittal has a proposed building over platted lot lines and easements, neither allowed by the building or zoning codes. The owner/applicant shall submit a Certified Survey Map (CSM) to combine the platted lots into one CSM lot dissolving the underlying platted lot lines. The approval and recording of the CSM will also release the underlying platted public drainage easements so that the owner/applicant will not have to work through a separate easement release project with the City Office of Real Estate Services.
4. 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.
5. All work in the public right-of-way shall be performed by a City licensed contractor.
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.

7. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; b) provide oil & grease control from the first 1/2" of runoff from parking areas; and c) 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.
8. 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.
9. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. Email file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal. NOTE: Email file transmissions preferred: 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.
10. 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, and g) detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
11. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management File including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc., and; sediment loading calculations. If calculations are done by hand or are not available electronically the hand copies or printed output shall be scanned to a PDF file and provided.
12. 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.
13. All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
14. 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>.
15. The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.

16. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.
17. The site plan shall be revised to show all public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

Please contact John Leach, Traffic Engineering Division, at 267-8755 if you have questions about the following five (5) items:

18. 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), and a scaled drawing at 1" = 40'.
19. The applicant shall show the dimensions for proposed parking stalls' items B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned.
20. The applicant shall modify the driveway approaches according to the design criteria for a "Class 3" driveway in accordance to Madison General Ordinance Section 10.08 (4). The proposed 25 ft width for the approach on Kipp Street shall have two – 5 to 10 ft flares. In addition, the public sidewalk shall go through the approach.
21. "Stop" signs shall be installed at a height of seven (7) feet at all driveway approaches behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
22. The parking facility shall be modified to provide for Phase 2 with adequate internal circulation for vehicles dead end parking lot off Kipp Street. This can be accommodated by eliminating a parking stall at the dead ends. The eliminated stall shall be modified to provide a turn around area ten (10) to twelve (12) feet in width and signed "No Parking Anytime."

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following four (4) items:

23. Parking lot plans with greater than twenty (20) stalls shall comply with City of Madison General Ordinances Section 28.04 (12). 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.)
24. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.
25. Bike parking shall comply with City of Madison General Ordinances Section 28.11. Provide five (5) bike parking stalls for phase I, 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.

26. Parking requirements for persons with disabilities must comply with City of Madison General Ordinances Section 28.11 (3) 6.(m) which includes all applicable State accessible requirements, including but not limited to:
- a) Provide a minimum of one accessible stall for phase I, 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

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have any questions regarding the following three (3) items:

27. Show fire access for both Phase I and Phase II on fire access plans.
28. 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 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.
 - c) A dead-end fire lane that is longer than 150-feet shall terminate in a turnaround. Provide an approved turnaround (cul-de-sac, 45 degree wye, 90 degree tee) at the end of a fire lane that is more than 150-feet in length.
 - d) Provide a minimum unobstructed width of 26-feet for at least 20-feet on each side of the fire hydrant.
 - e) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 80,000 lbs.
 - f) Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
29. 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 my office at 267-1150 if you have questions about the following nineteen (19) items. Please note, items 45 through 48 were commitments made by the applicant requested based on discussions at a neighborhood meeting.

30. That the hours of operation for the facility shall be limited to 5:00 am until 9:00 pm, Monday through Friday and from 6:30 am until Noon, Saturday. Trucks shall not enter or leave the facility prior to 6:30 am or after 7:00 pm, daily. To minimize truck noise impacts there shall be no truck engines running or operating in the north-facing "outbound loading areas" as defined by the Planning Division, prior to 6:30 am. Trucks may operate prior to this time in order to provide on-site snow removal. No doors to the facility should be left open prior to 6:30 am or after 8:00 pm.

31. That the facility may operate on Saturdays between the hours of 6:30 am and 9:00 pm following weekday holidays in which there are no trash/recycling collections. Trucks shall not enter or leave the facility prior to 6:30 am or after 7:00 pm, with the exception of trucks performing on-site snow removal.
32. That trucks shall not be allowed to idle for more than five minutes.
33. That all loaded or partially loaded trucks shall be fully enclosed or covered when on the property and outside of the building.
34. That the applicant provides further information on the referenced sound-reducing insulation (or other sound-limiting measures) proposed for the building for approval by Planning Division and Building Inspection staff.
35. That no waste shall be stored outside the building. The "container storage area" depicted on the site plan would include only empty storage containers. All waste handling operations shall occur within the building and all dumping and any temporary storage shall occur inside the building and all waste will be cleaned from the facility floor on a daily basis.
36. That waste water shall be directed to the drains that utilize the City sewer system, not introduced into the ground water.
37. That the applicant conducts a daily site and area inspection which would include collecting any litter on the grounds or on Kipp Street and Tradesmen Parkway.
38. That no waste will be held for on site for more than 24 hours, in accordance with applicable DNR standards.
39. That the applicant shall work with Planning Division staff to provide a revised landscape plan that provides for increased site screening. The plan shall be submitted for staff approval. The final plan shall include both coniferous and deciduous plantings. Specifically, additional vegetative screening should be provided both at the site perimeter and along the proposed security fence or along the proposed phase two boundary. Further, staff recommend that solid wood fencing and additional dense vegetative screening be provided on the northern and western portion of the site to further screen this site from nearby residences.
40. That the wood fence shown on the submitted plans shall be double sided.
41. That the applicant's final site plan submitted for staff approval includes only the improvements proposed for this initial phase of development.
42. That the applicant clarifies the drawing to clarify the exact boundary of the perimeter chain link fence. This fence should completely enclose the building and outdoor storage areas.
43. That the applicant provide further clarifications identifying grade and height of the proposed building to the nearby residences located on Marsh Road.
44. That the submitted lighting plan be reviewed and approved by Planning Division staff.
45. That trucks shall not travel on Voges Road or Marsh Road (south of Kipp Street). The applicant/operator shall utilize Kipp Street (north of development site), Marsh Road (north of Kipp Street), Agricultural Drive, and Femrite Drive as the truck route serving this facility. This condition does not preclude the applicant/operator for using these streets when serving properties on or accessed-only from these streets.

- 46. Trucks waiting to enter this facility shall not park and idle on public streets.
- 47. The playing of radios or other intercom systems shall not be audible at the property line.
- 48. The applicant shall make all environmental insurance documentation/other agreements regarding well contamination available upon request.

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

- 1. Please revise your plans per the above and submit eight (8) copies of a complete plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
- 2. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. City Engineering staff will review plans for compliance. Please note, this property is not in a Wellhead Protection District.
- 3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
- 4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use.

If you have any questions regarding obtaining the conditional use approval, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP
 Planner

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

Signature of Applicant

cc: Janet Dailey, City Engineering Division
 John Leach, Traffic Engineering Division
 Scott Strassburg, Madison Fire Department
 Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: Metro Transit