PLANNING DIVISION REPORT
DEPARTMENT OF PLANNING AND COMMUNITY
AND ECONOMIC DEVELOPMENT
Of September 12, 2007

RE: I.D. # 07500, Conditional Use Application – 1326 S. Midvale Boulevard

1. Requested Action: Approval of a conditional use for a wireless telecommunications facility to allow an existing cellular telephone tower at 1326 S. Midvale Boulevard to be replaced with a larger tower.

2. Applicable Regulations: Section 28.09 (3)(d) identifies public utility and public service uses such as telecommunication facilities generally as conditional uses C2 zoning. Section 28.04 (23) provides the detailed requirements for telecommunication facilities throughout the City of Madison. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

3. Report Prepared By: Timothy M. Parks, Planner

GENERAL INFORMATION

1. Applicant: Scott Steeno, Verizon Wireless; 3580 Flagstone Circle; Middleton.

   Property Owner: Midvale Corner, LLC; 1348 S. Midvale Boulevard; Madison.

2. Development Schedule: The applicants wish to proceed as soon as all necessary approvals have been granted.

3. Location: An approximately 1.73-acre parcel located on the north side of the W. Beltline Highway (US Highway 12 & 14) on the west side of S. Midvale Boulevard; Aldermanic District 10; Madison Metropolitan School District.

4. Existing Conditions: The site is developed with two multi-tenant retail/ office buildings that form the western end of a planned commercial site containing other commercial buildings with access primarily from S. Midvale Boulevard in C2 (General Commercial District) zoning. Among the tenants in the shopping center are Dorn Hardware and Le Tigre Lounge.

5. Proposed Land Use: The applicant wishes to replace a 65-foot tall monopole cellular telephone tower with an 88.6-foot tall monopole that will accommodate additional carriers.

6. Surrounding Land Use and Zoning: The shopping center is bordered to the north by a number of four-unit apartment buildings in R4 (General Residence District) zoning on Jewel Court and to the west by Upper Iowa University's Madison center in C2 zoning. The subject is bordered on the east by three other commercial parcels that are part of the

planned commercial site, which extend along the S. Midvale Boulevard frontage up to Hammersley Road and are zoned C2. A ramp to the W. Beltline Highway from Midvale forms the southern boundary of the site.

7. Adopted Land Use Plan: The subject site is identified as a "general commercial" district in the Comprehensive Plan.

8. Environmental Corridor Status: The subject site is not located in a mapped environmental corridor.

9. Public Utilities & Services: The property is served by a full range of urban services.

STANDARDS FOR REVIEW

This application is subject to the conditional use standards of Section 28.12 (11) and the general provisions for telecommunication facilities in Section 28.04 (23).

PREVIOUS APPROVAL

On October 4, 1999, the Plan Commission granted approval of a 65-foot tall wireless communications tower to be located in approximately the same location on the subject site.

ANALYSIS, EVALUATION & CONCLUSION

The applicant is requesting approval of a conditional use to allow construction of an 88.6-foot tall wireless communications (cellular) tower to replace a previously approved 65-foot tall tower located on the Dorn Hardware shopping center site in C2 general commercial zoning. The site is addressed 1326 S. Midvale Boulevard and is part of a planned commercial site consisting of three other commercial building sites located along the west side of S. Midvale Boulevard between Hammersley Road and the W. Beltline Highway. The Dorn center consists of two split-level commercial buildings separated by a lower level courtyard located below the grade of the surface parking lot that occupies the remainder of the site. Dorn Hardware and Le Tigre Lounge are among the uses of the retail spaces at the parking lot level, with various smaller retail/ office spaces located on the lower level. The existing 65-foot tall tower is located adjacent to the south-east corner of the eastern of the two buildings, with the equipment for the tower located in one of the office spaces located along the eastern wall of the lower level. The tower is painted a dark green and includes parking lot lighting fixtures closer to the ground to evoke the appearance of an overly tall parking lot lighting fixture.

The applicant proposes to replace the existing monopole tower with a new 88.6-foot monopole tower to be located five feet east of the existing tower. The current 65-foot tower contains a single wireless carrier. The new, taller tower will accommodate a total of three carriers, with the

existing carrier, US Cellular, continuing to occupy the tower in addition to the applicant, Verizon Wireless. A third, unidentified carrier was not identified for the tower. Base equipment for both US Cellular and Verizon will be located in lower level tenant spaces located along the eastern wall of the eastern commercial building. The base equipment accommodation for the third carrier will be located adjacent to the north wall of the commercial building. The Planning Division recommends a condition of approval that requires the third carrier to receive administrative approval of the details of this exterior lease compound prior to occupying the last position on the proposed tower. The final administrative approval of this base compound will ensure that it is sufficiently secured and screened as required in Section 28.04 (23) of the Zoning Ordinance.

Public utility and public service uses such as telecommunication facilities as conditional uses in the C2 general commercial zoning district. In 1998, the Zoning Ordinance was amended to provide specific requirements for telecommunications facilities and antennas. The ordinance requires that all new telecommunication towers be designed to accommodate at least three separate antenna arrays on the tower and in the base compound unless evidence is presented with the application that the required construction is economically and technologically infeasible. The Plan Commission may also determine for reasons of aesthetics or compliance with the ordinance that a tower need not provide the additional arrays. The goals of the ordinance include protecting residential areas and land uses from the potential adverse impacts of telecommunication towers and antennas and limiting the overall number of towers in an effort to reduce their visual impact on the landscape by encouraging the shared use of tower sites. The Zoning Ordinance requires that an analysis be prepared by the applicant that identifies all reasonable, technically feasible alternative locations and/ or facilities that would be usable for the proposed personal wireless services to substantiate the need for a new tower.

A third-party consulting engineer, Evans Associates, is under contract with the City to review the analyses to determine if an applicant has sufficiently proved the need for a new tower. A copy of the consultant report for the proposed tower is attached and generally indicates that the requested 88.6-foot tall tower is needed at this location. The report indicates that this tower will be a "fill-in" site to bolster Verizon services in this portion of the west side. The applicant has provided information, confirmed by the consulting engineer, that the height of the tower is necessary to achieve the needed coverage area. Co-location of the proposed cellular equipment on nearby buildings or on another tower in the area was not possible except in the case of the US Cellular tower already on site, which was neither structurally capable of supporting additional carriers or sufficiently tall enough. The consultant report indicates that there are no towers within a 1.5-mile radius to accommodate the proposed cellular phone array. The City's consultant also indicates that the co-location opportunities provided with the proposed tower will serve other carriers in the near term. The Evans report also states that the proposed 88.6-foot tower will blend in well with its surroundings, which include other light and utility poles in the area. The additional 20 feet of tower height proposed should not have a significant visual impact, as the design of the tower will remain the same, including the placement of parking lot lighting fixtures roughly 40 feet up the monopole.

In general, the Planning Division believes that the conditional use standards can be met with the proposed wireless communications tower, which also satisfies the location-related requirements included in the Zoning Ordinance. The cellular telephone tower proposed will replace a slightly shorter tower of similar design and profile already present at the site.

RECOMMENDATION

The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a proposed 88.6-foot tall wireless communications (cellular) tower to replace an existing tower located at 1326 S. Midvale Boulevard, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.

2. That the third cellular telephone carrier receive approval by the Plan Director of the details of any exterior base equipment compound not located in an existing building prior to occupying the last position on the tower. The final administrative approval of this base compound will ensure that it is sufficiently secured and screened as required in Section 28.04 (23) of the Zoning Ordinance and will be accomplished as a minor alteration to the conditional use for the tower.

EVANS
ASSOCIATES

Engineering Statement
Prepared for the City of Madison
Re:
Proposed Verizon Wireless Tower Site #14-3650
1326 S. Midvale Blvd.
Madison, WI

September 5, 2007

Prepared by:

Evans Associates Consulting Engineers
210 S. Main Street, Thiensville, WI 53092
Phone (262) 242-6000 Fax (262) 242-6045
www.evansassoc.com

16

TABLE OF CONTENTS

Attachments

Figure 1 – Verizon Wireless Service Map without the Proposed Site
Figure 2 – Verizon Wireless Service Map with the Proposed Site
Figure 3 – Proposed Antenna Structure Elevation Drawing

Engineering Statement
Prepared for the City of Madison
Re:
Verizon Wireless Tower Site #14-3650
1326 S. Midvale Blvd.
Madison, Wisconsin

I. BACKGROUND

This engineering report has been prepared by B. Benjamin Evans, P.E. of Evans Associates, Communications Consulting Engineers in Thiensville, Wisconsin, regarding a proposed Verizon Wireless cellular base station antenna structure to be built in the City of Madison, Wisconsin.

Evans Associates has been retained to evaluate the implementation parameters associated with a new 88'-6" tower/stealth light pole to be located on a strip mall property owned by Vicarol Investments at 1326 S. Midvale Boulevard in the City of Madison, Dane County. This structure will be replacing the existing U. S. Cellular light pole that is 65 feet tall and is not capable of supporting the antennas of additional carriers. This structure will be used by both Verizon and U. S. Cellular, with space available for a third future carrier.

The siting information provided to Evans Associates by Verizon Wireless has been used in evaluating the appropriate technical parameters in accordance with the criteria outlined in Section 28.04 of the City of Madison Code of Ordinances. The analysis and the conclusions contained herein are based upon information researched by or under the direction of B. Benjamin Evans, P.E., of Evans Associates, or have been submitted by the applicant. Information provided to Evans Associates by other parties is believed to be correct, and has been verified where feasible.

II. ABSTRACT

As the number of cellular phone users continues to increase, the incidence of emergency and safety of life communications will also increase, making high-penetration levels and connection availability mandatory on the cellular and PCS frequencies. In order to improve coverage and capacity as the traffic on adjacent sites approaches the maximum, some new construction is to be expected. In addition, E-911 cellular implementation also places an additional burden on the tower infrastructure. Federal regulations require that local communities treat all carriers identically with respect to permit requirements. The instant site is considered to be a "fill-in" site for Verizon for the area around the intersection of Highways 12/14 and 151/18. This is a dense retail, commercial and residential area, all contributing to extensive cell phone activity.

Accordingly, the proposed site has been analyzed carefully from the standpoints of environmental compatibility and network necessity. The conclusions reached herein represent the most complete

engineering evaluation we are able to perform. This document and the attached exhibits are true and accurate to the best knowledge and belief of Evans Associates.

III. SITE ANALYSIS

The following paragraphs represent our analysis of the proposed base station site, which was conceived out of a need by Verizon to improve service in this area of Madison.

#1 Validation of RF Information

According to the elevation diagram, the proposed site will utilize a wireless antenna system housed within the light pole in enclosure jumpers, installed above 67 feet above ground and representing essentially omnidirectional coverage. The tower height proposed, 88'-6" AGL, has been requested by Verizon Wireless in order to adequately serve the area. The pole will be strong enough to support two additional carriers, at 78' (reserved for U.S. Cellular) and 71' AGL.

The proposed site will meet FCC Radio Frequency Radiation (RFR) emission requirements with respect to the general population as long as no cellular or PCS antennas are installed below 55 feet of ground level. Accordingly, with the RF energy exposure standards utilized in the evaluations by this consultant, and as per previous concurring opinions from the Medical College of Wisconsin, it is concluded that there is no credible concern related to RFR exposure health risks with respect to the described site as long as the industry standard construction practices are followed.

The proposed structure height of 88'-6" feet is, in the opinion of this affiant, the minimum that would be functional at this location. As a matter of fact, it may be difficult to attract the third co-locator for this site at the 71-foot level because of terrain and building attenuation.

Assuming no serious malfunction of either cellular transmitters or public safety radio receivers, interference to other RF services is not expected. In any case, all transmitters and receivers located at common sites should observe good engineering practice with respect to tower bonding and grounding.

#2 Site Parameters

The proposed 88'-6" stealth light pole is to be located on the edge of a parking lot adjacent to the commercial building at 1326 S. Midvale Boulevard. The existing 65-foot light pole about 6 feet away will be removed.

The pole will be constructed so as to be able to support additional weight and wind load in the future; two other carriers would be accommodated on the structure, including U.S. Cellular. In Verizon Wireless' opinion, this structure represents the minimum height and location that will achieve the required coverage objectives. As the herein analysis confirms, Evans Associates agrees with this determination.

The standards to be applied to the proposed site are those pertinent to a "fill-in" site, and must address such issues as 911 locator emergency telephone capability as well as the ability of the new tower to support co-location of as many present and future carriers as possible. Evans' agrees with the determination that the site is required in order to provide network "fill-in" and to ensure "E-911" emergency-calling capability throughout the Verizon Wireless network.

#3 Conformance to Industry Standards

There is no information available to this engineer to demonstrate that the applicant has notified the Federal Aviation Administration of the proposed construction. The applicant should either file a Form 7460-1 Notice of Proposed Construction with the FAA, or contact the FAA airspace specialist for Wisconsin to confirm that notification to that agency is not required.

#4 Proposed Height Verification

As per the above discussion, the tower height is dictated by the antenna height necessary for reliable coverage, which is influenced by topography and "look angle." The Verizon Wireless proposal appears to be reasonable at its proposed height, especially considering that co-locators will have to place their antennas farther down the tower. To make the tower shorter would invite additional tower proliferation, which is not recommended.

#5 Response to Nearby Residents' Questions

None provided by Verizon Wireless.

#6 Validation of Adequate Support Structure

Verizon Wireless has provided engineering design drawings prepared by Ramaker & Associates. These plans should be reviewed by a licensed structural engineer to verify that the latest EIA/TIA standards are being observed and that the tower will support the antennas of the two additional wireless co-locators.

#7 Visual Impact Assessment

The Verizon antenna structure will be situated in a commercially developed area where there are existing light standards and utility poles. Thus, the Verizon installation will be compatible with the surroundings, as can be seen in the simulation photos provided by the applicant. Since the new tower will be only about 20 feet higher than the existing U.S. Cellular light pole and will be similar in appearance, the additional visual impact will not be significant. It is not proposed to install obstruction lighting on the tower, nor paint it with bands of aviation orange and white; thus, visual

impact will be minimal[1]. The tower and all appurtenances could be left with a galvanized coating or painted a similar color to blend in with the sky.

#8 Network Propagation Analysis

Verizon's wireless network is in the fill-in phase in the city of Madison at the present time. A cellular network must be put together like pieces of a puzzle, with each site strategically located so that a cell phone subscriber can use his or her phone anywhere in the community without a "system busy" signal and without having the call dropped due to a lack of signal from the servicing cell site.

Propagation Study

A propagation study conducted by Verizon Wireless, and verified by this consultant, shows the current and proposed coverage of the City of Madison. Figure 1, attached, shows the existing Verizon Wireless coverage in the area, while Figure 2 is a map of the Verizon Wireless coverage after the proposed site is activated.

There would be a substantial area that will be upgraded from "fair coverage" to "excellent coverage" as a result of the new site (see Figures 1 and 2). This site would assure continuous coverage in and around the local area and enhance service to a large number of area businesses by increasing call capacity in the area.

The proposed site is quite well positioned between the adjacent Verizon Wireless sites, as seen in the attached coverage maps.

#9 Alternative Sites

The siting of the new Verizon Wireless base station is fairly critical, and the search radius is small (less than 0.3 mile). Additionally, the search for a new construction site is further aggravated by the scarcity of vacant parcels of sufficient size to build a new base station tower. This consultant has confirmed that there are no existing federally-registered towers within a 1.5-mile radius of the site proposed by Verizon[2], other than the U.S. Cellular light pole which the proposed structure is meant to replace.

It is the opinion of Evans Associates that Verizon has come up with a proposal that is the most practicable and the least visually obtrusive. The site appears to strike a good balance between mobile phone service network integrity and impact to the surroundings.

---

[1] Confirmation should be obtained fromWisconsin Department of Transportation that aviation obstruction lighting or marking is not required.

[2] There is a group of communications towers on Tokay Boulevard west of Whitney Way, located about 1.6 miles northwest of the proposed site. These towers are too close to existing Verizon and U.S. Cellular sites to be of any practical use.

#10 Co-location Capabilities

According to Verizon Wireless, the proposed tower has been designed for two additional carriers for a total of three carriers. It is the intent of Verizon Wireless to allow U.S. Cellular and another wireless carrier to place its antennas on this tower. This "modularity" concept is a good method of cost-effectively addressing co-location, thereby reducing tower proliferation.

Based upon the experience of this consultant, the allowance for two additional carriers on the tower should manage the immediate needs of the major carriers in the city of Madison. It is expected that, by the time some of the more specialized carriers require towers in the same area (such as LAN and Internet providers), multiple-use (multiplex) antennas will be generally available, which should free up some tower aperture space.

IV. RECOMMENDATIONS

This consultant recommends the approval of the proposed antenna structure at the requested height above ground of 88'-6". Since the visual impact of the relatively short tower is in keeping with the existing light pole to be replaced, which is only about 20 feet shorter, it is unlikely that a site could be found that would have less visual impact and would be less congruent with its surroundings.

With the adoption of the suggestions contained herein, it is the opinion of this consultant that the proposed tower will accommodate the communication needs of residents and businesses while protecting the public health, safety and general welfare, with respect to those items for which Evans Associates is expert. The proposal will also minimize proliferation in the future.

The following recommendations are made with respect to the Verizon Wireless tower site:

1. A licensed Professional Engineer should approve the finished tower, and certify that the tower can support at least a total of three antenna arrays.

2. Verizon Wireless should submit to the city of Madison a Determination of No Hazard from the FAA for the total tower height of 88'-6", or a written notice that such notification is not required. Also, contact with Wisconsin DOT should be made prior to construction, if it has not already been done.

3. Verizon Wireless should utilize a galvanized or painted finish on the tower to minimize visual impact ("stealth" finish), if permitted by WisDOT.

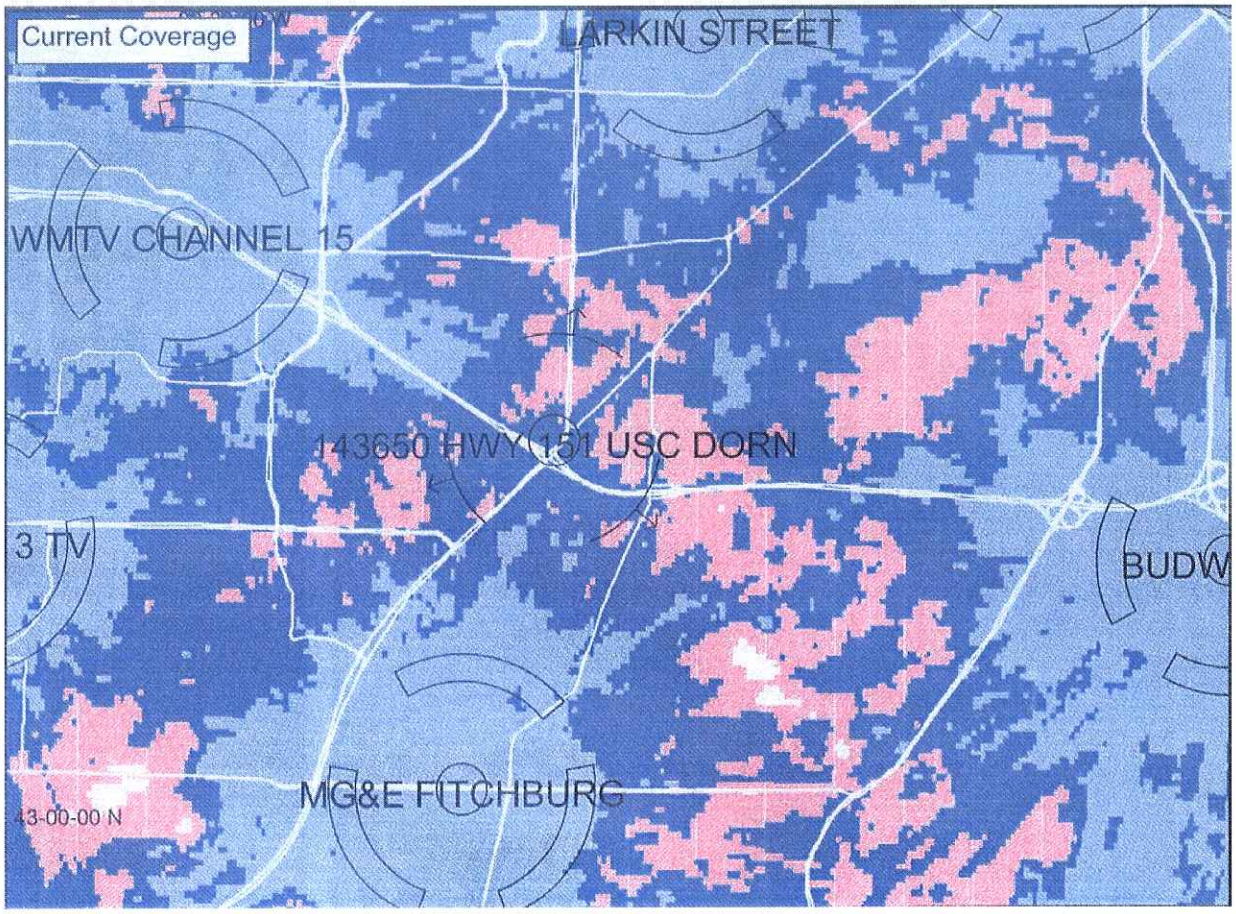
It is therefore concluded by the affiant that the application for Conditional Use Permit conforms to industry standards, that the height proposed is the minimum that would be reasonably functional, and that the need for this site has been demonstrated.

Respectfully submitted,

B. Benjamin Evans, P.E.
Evans Associates
September 5, 2007

E:\EA\Client Services\Wireless & Cellular\Municipal Projects\Madison\Verizon Midvale Blvd. Site\Verizon-Midvale Blvd Madison.doc

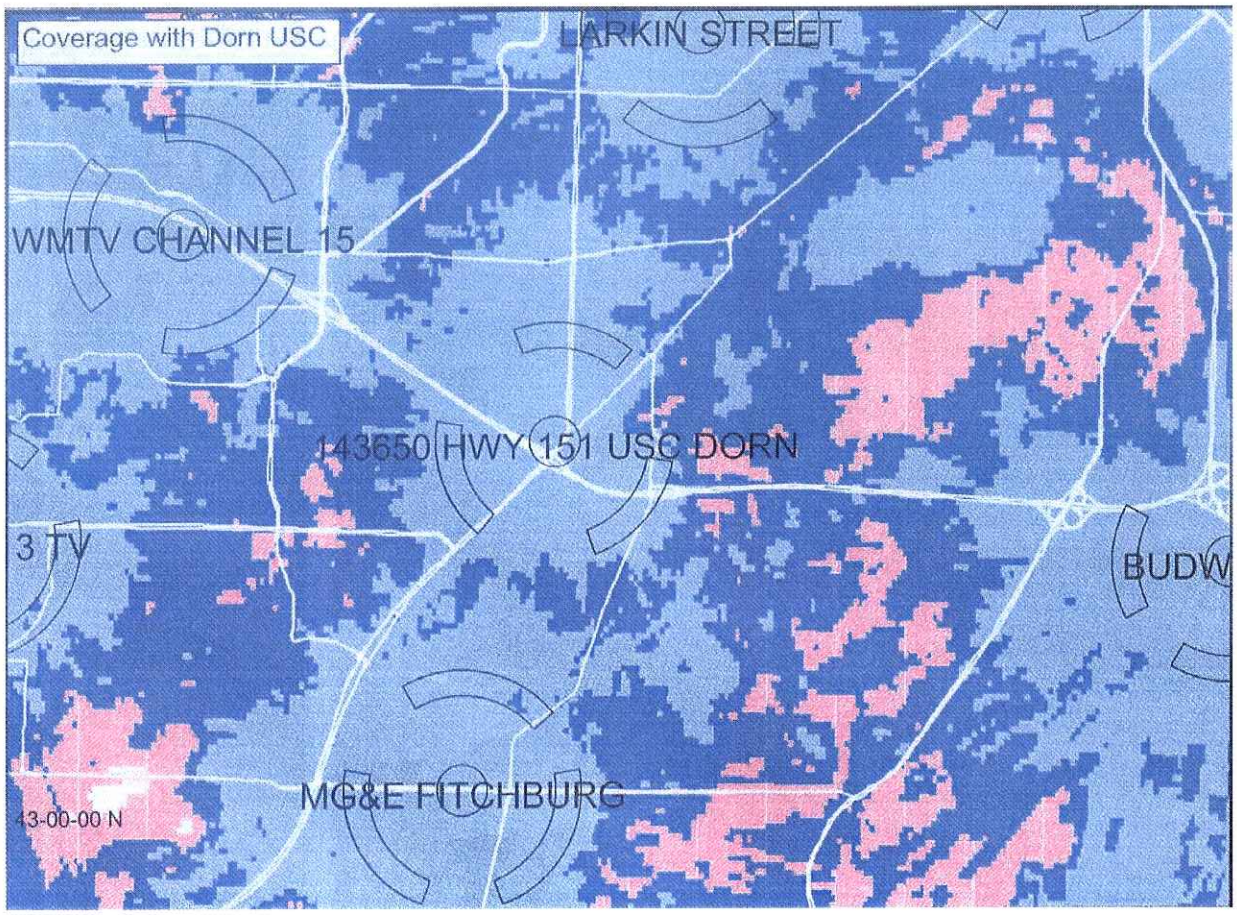
Figure 1 – Verizon Network Coverage Without Proposed Site



Coverage Levels Legend

Light Blue – In-Building Coverage
Dark Blue – In-Vehicle Coverage
Light Red – On-Street Coverage
White – Poor or No Coverage

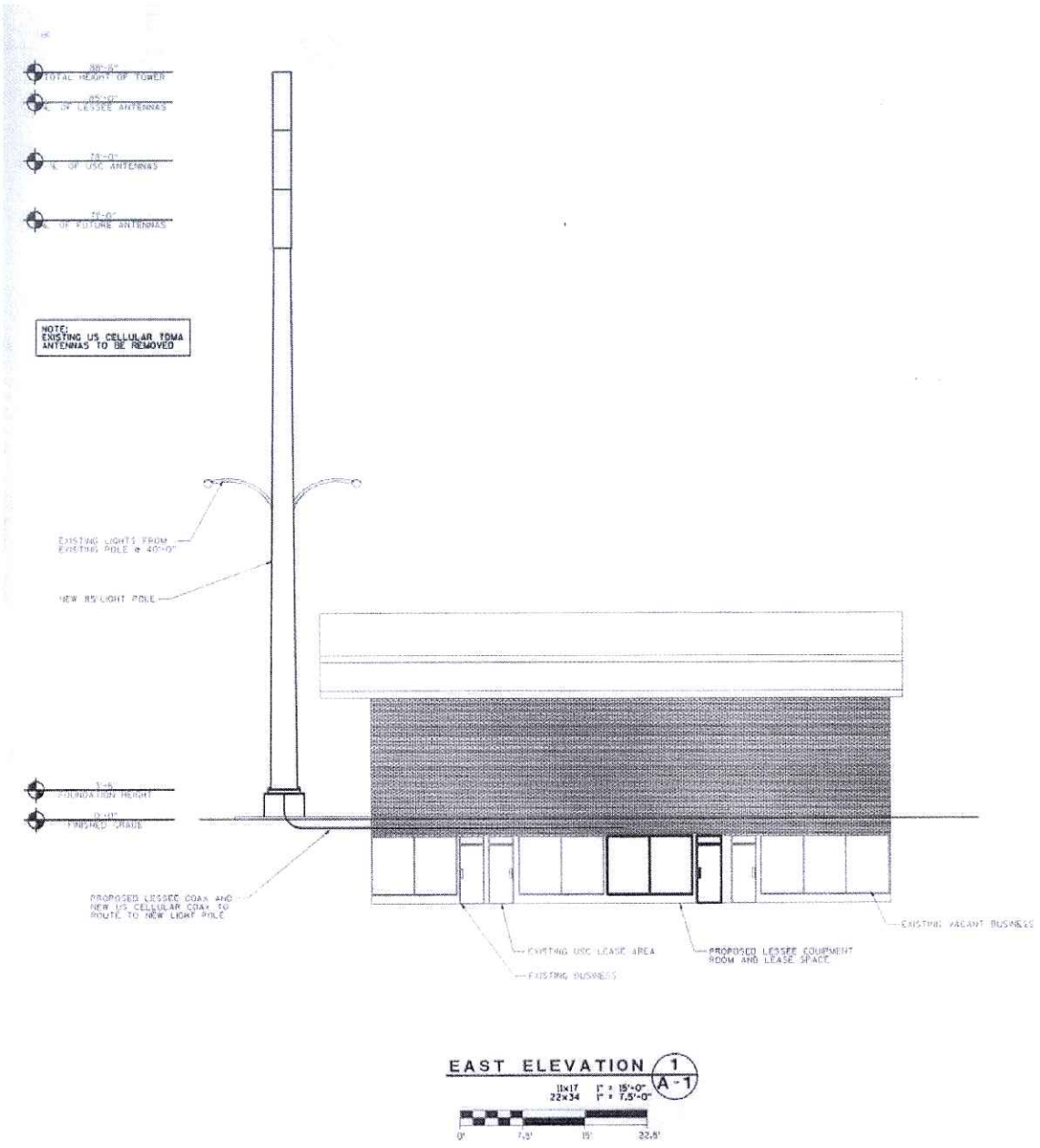
Figure 2 – Verizon Network Coverage With Proposed Site



Coverage Levels Legend

Light Blue – In-Building Coverage
Dark Blue – In-Vehicle Coverage
Light Red – On-Street Coverage
White – Poor or No Coverage

Figure 3 – Antenna Structure Elevation Drawing



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. Dailey, 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 28, 2007

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 1326 South Midvale Boulevard Conditional Use

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. The Engineering Division Mapping / GIS Section requests submittal of any CAD files, if available, to assist in the parcel updates for both the existing conditions and proposed changes to this site. Please email CAD files to lzenchenko@cityofmadison.com .

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: 1326 South Midvale Boulevard Conditional Use

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, 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 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko lzenchenko@cityofmadison.com or (608) 266-5952

☐ 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 the _____Impact Fee District for Lot(s)_____of the _____Plat/CSM. The current rate is $ _____ /1000SF for a total of $_____. The Developer shall select one of the following two options for payment of these fees:

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 have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. 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 transmitted to Janet Dailey by e-mail at 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:

ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).

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.

☐ 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.

16

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 _____.

☐ 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.

16

☐ 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.

Storm Water Management

☐ 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

16

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) of of new paved surfaces
- ☐ Provide infiltration in accordance with Chapter 37 of the Madison General Ordinannces
- ☐ 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 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) Lot lines
g) Lot numbers
h) Lot/Plat dimensions
i) Street names

NOTE: Email file transmissions preferred lzenchenko@cityofmadison.com . Include the site address in this transmittal.

☐ 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.

16

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). T 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 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.

16

Madison

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 6, 2007

TO: Plan Commission

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

SUBJECT: **1326 South Midvale Blvd. – Conditional Use – Replace and Relocate Cellular Tower in Parking Lot**

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. None

PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. A sidewalk with ramps and crosswalks shall be installed from the building entrance to S. Midvale Blvd. the public sidewalk with ramps and cross walks as required.

3. The applicant shall show bicycle racks to be outside the building. In addition, 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:

4. 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'.

5. A "Stop" and additional directional signage as need to secure ingress vehicles One-way or Left Turn Only shall be installed at a at all driveway approaches. 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.

6. The applicant shall dimension all existing the surface parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall. The applicant will need to show the dimensions for proposed degree parking stalls' items A, B, C, E, F, H and degree angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2.

7. 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: Scott Steeno
Fax:
Email: ssteeno@earthlink.net

DCD: DJM: dm