



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

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

May 22, 2024

Mike Booth
OPN Architects
301 N Broom Street, Suite 100
Madison, Wisconsin 53703

RE: Consideration of a demolition permit to allow demolition of a single-family residence at 114 Van Deusen Street, and consideration of an alteration to an approved conditional use in the Traditional Residential–Consistent 2 (TR-C2) District for a daycare center; consideration of a conditional use in the TR-C2 District for a building exceeding 10,000 square feet of area; and consideration of a conditional use in the TR-C2 District for a automobile parking reduction of more than 20 spaces and 25% or more of the required parking, all to allow construction of an addition to an existing daycare center at 1124 Colby Street (Jim Hansen, Woodland Montessori School, Inc.). (LNDUSE-2024-00022; ID 82944 and 82945)

Dear Mike,

On May 20, 2024, the Plan Commission found the standards met and **approved** your demolition permit for 114 Van Deusen Street and conditional use requests for 1124 Colby Street. Prior to issuance of permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following ten (10) items:

1. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20 feet in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement.
2. Obtain a Permit to Excavate in the Right-of-Way for completing the improvements in the public right of way.
3. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Mark Moder ((608) 261-9250) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development.
5. An Erosion Control Permit is required for this project.
6. Revise the site plan 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.
7. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development and show the connection of the private internal drainage system (roof drain) to the public storm sewer.
8. This project will disturb 4,000 square feet or more of land area and require an Erosion Control Permit. Submit an Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.
9. Demonstrate compliance with MGO Section 37.07 and 37.08 regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
10. 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 tstroester@cityofmadison.com (West).

Please contact Jeff Quamme of the City Engineering–Mapping Section at (608) 266-4097 if you have any questions regarding the following two (2) items:

11. Grant a one (1)-foot wide Public Sidewalk Easement(s) to the City on the face of the pending Certified Survey Map along the east line of this CSM to accommodate the public sidewalk and allow one (1)-foot behind the sidewalk for maintenance and repair of the public sidewalk. Contact Jeff Quamme for required language. Also add this easement to the site plan.
12. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds, the new parcel data created by the Assessor's Office, and the parcel data available to Zoning and Building Inspection staff prior to issuance of building permits for new construction or early start permits.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following five (5) items:

13. The submitted plan references a new curb ramp on Van Deusen Street. The Traffic Engineering Division does not support introducing a new curb cut with this proposal.

14. The applicant shall submit for review a student drop-off and pick-up plan. This plan shall include the number of students, estimated modes of arrival by percentage, estimated arrival times, and any requested passenger loading zones.
15. 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.
16. 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.
17. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at (608) 266-4429 if you have questions about the following ten (10) items:

18. The Zoning Board of Appeals, at its meeting of March 21, 2024, conditionally approved the request for a front yard setback variance to construct a vestibule building addition. The proposed plans satisfy the condition of approval for the variance.
19. Section 28.185(9) requires that every applicant for a demolition or removal approval that requires approval by the Plan Commission is required to get a Reuse and Recycling Plan approved by the City Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com prior to receiving a raze permit. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(9) shall submit documents showing compliance with the plan within 60 days of completion of demolition. A demolition or removal permit is valid for two (2) years from the date of the Plan Commission.
20. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 65%. 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.
21. Increase the setback for the trash enclosure to a minimum of 20 feet. A trash enclosure is not an allowed encroachment in the 20-foot reverse corner side yard setback.
22. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect.
23. Submit details for the trash enclosure. The trash enclosure 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.

24. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first 60 feet from grade are comprised of less than 50% glass, at least 85% of the glass on glass areas 50 square feet or over must be treated. Of all glass areas over 50 square feet, any glass within 15 feet of a building corner must be treated. Identify which glass areas are 50 square feet or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.
25. Verify whether new site lighting will be installed. New parking lot lighting must comply with MGO Section 29.36 outdoor lighting standards. If parking lot site lighting is provided, submit a lighting photometric plan and fixture cut sheets with the final plan submittal.
26. 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.
27. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

28. The proposed development may require the installation of a fire protection/automatic sprinkler system (see also Madison Fire Department review comments); subsequently, a higher capacity water service lateral may be required to meet required flow rates. If a new water service will be required, contact Madison Water Utility Engineering Section to evaluate service connection options, confirmation of water meter size, or any applicable customer account revisions.

Please contact Brandon Sly of the Forestry Section at (608) 266-4816 if you have any questions regarding the following eight (8) items:

29. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
30. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.

31. The contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. The contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.
32. As defined by the Section 107.13 of *City of Madison Standard Specifications for Public Works Construction*: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
33. Section 107.13(g) of *City of Madison Standard Specifications for Public Works Construction* addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
34. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on both the site and street tree plan sets.
35. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300–Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
36. The developer shall submit a Street Tree Report performed by International Society of Arboriculture Certified Arborist prior to the Plan Commission meeting for City Forestry's review of project. This report shall identify all street trees on proposed project site, species type, canopy spread, tree condition, proposed tree removals, the impacts of proposed construction, and any requested pruning.

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

37. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required. Per MGO Section 16.03(4), day care center and elementary school uses are exempted from the TDM Ordinance. [Note: This provision/condition does not apply to the conditions in the Planning Division or Traffic Engineering Division elsewhere in this letter.]

Please contact my office at (608) 261-9632 if you have questions about the following three (3) items:

38. Prior to final approval of the conditional use plans and issuance of building permits for the addition, the applicant shall submit an update to the 1997 Master Transportation Management Plan to reflect the expansion of the daycare center building and proposed enrollment. The updated plan shall also include information on the number of employees, provisions regarding off-site staff parking, hours of operation for the center, the staggered pick-up and drop-off of students, and efforts to encourage the use of alternative forms of transportation and carpooling (drawing on information contained in a 2012 letter from Erin Trondson to Matt Tucker). The updated plan shall be reviewed by the Planning Division, Traffic Engineering Division, and Parking Division and be placed on file with the Zoning Administrator prior to issuance of permits for the expansion.
39. That the hours of operation for the expanded daycare center shall be 8:00 AM to 5:30 PM, Monday through Friday, as stated in the letter of intent. Any revision to these hours of operation shall require approval of an alteration to the conditional use to be approved by the district alder and Director of the Planning Division or the Plan Commission.
40. The maximum enrollment of the daycare center shall be 110 students as stated in the letter of intent. Any increase in students beyond 110 shall require approval of an alteration to the conditional use to be approved by the district alder and Director of the Planning Division or the Plan Commission.

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

A letter containing the conditions of approval for the related Certified Survey Map for the project will be sent separately.

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

1. The applicant shall resubmit a PDF copy of the plan set and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com. (Note: A 20MB email limit applies and multiple transmittals may be required.). A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.
2. City Agencies who submitted conditions of approval will review your revised plans to verify that their conditions, along with any applicable requirements, have been satisfied. When the revised plans are submitted, the applicant will be emailed a hyperlink to a website to follow, in real time, which agencies have reviewed the revised documents, and signed off or need additional information.
3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the

Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void two (2) years after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission’s approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to one (1) year from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

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

Sincerely,



Timothy M. Parks
 Planner

cc: Tim Troester, City Engineering Division
 Jeff Quamme, City Engineering Division
 Sean Malloy, Traffic Engineering Division
 Jenny Kirchgatter, Asst. Zoning Administrator
 Jeff Belshaw, Madison Water Utility
 Brandon Sly, Forestry Section
 Trent Schultz, Parking Division

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

Signature of Applicant

*Signature of Property Owner
 (If Not Applicant)*

LNDUSE-2024-00022			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Forestry Section
<input checked="" type="checkbox"/>	Water Utility	<input type="checkbox"/>	Other: