

April 19, 2005

Yomi E. Jarrett
795 Sky Ridge Drive
Madison, Wisconsin 53719.

RE: Item #00823 – Approval of a conditional use permit to allow used automobile sales on a parcel located at 1002 S. Whitney Way.

Dear Mr. Jarrett:

The Plan Commission, meeting in regular session on April 18, 2005, determined that the ordinance standards could be met and **approved** your request for a conditional use permit to allow used automobile sales on a parcel located at 1002 S. Whitney Way, subject to the conditions below. In order to receive final approval of the conditional use request, the following conditions must be met:

Please contact John Leach, Traffic Engineering, at (608) 267-8755 if you have questions about the following three items:

1. Any modifications to the existing driveway and median break on S. Whitney Way shall be reviewed and approved by the City Traffic Engineer.
2. 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'.
3. 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 Kathy Voeck, the Acting Zoning Administrator, at (608) 266-4551 if you have questions regarding the following five items:

4. Conditions stipulated in Section 28.09(3)(d)16 of the Zoning Ordinance:
 - a.) That there is adequate screening and landscaping.
 - b.) That no permanent or temporary storage of vehicles in disrepair shall occur on the premises unless within a completely enclosed building.
 - c.) That the site fronts on either a street designated as an arterial street or on a frontage road adjacent to a designated arterial street.
 - d.) That illumination of the site does not adversely affect adjacent properties.
 - e.) That the hours of operation shall be limited to 8:00 a.m. to 8:00 p.m.

5. Meet all applicable State accessible requirements, including but not limited to showing signage at the head of the stalls.
6. Provide two bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area.
7. Provide a detailed list of landscaping elements including species and sizes.
8. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards. (See parking lot packet). For outdoor merchandising areas, the maximum level in 75% of the lot shall not exceed 20 footcandles. A contiguous area not to exceed 25% of the lot may be illuminated to a level, which shall not exceed 40 footcandles.

Please contact my office at (608) 261-9632 if you have questions about the following two Planning Unit conditions on this project:

9. That the plan be revised per Planning Unit approval to note the size and species of landscaping to be planted, and to include a minimum of two additional shrubs to be planted in the area of the closed driveway.
10. That the conditional use permit be restricted as follows:
 - a. that used automobile sales be limited to no more than seven automobiles at any time to be located on the property as shown on the attached site plan;
 - b. that the conditional use approval be issued for a period not to exceed five (5) years from the date of Plan Commission approval;
 - c. that all advertising of the used automobiles for sale shall be limited only to the model year and the sales price of the vehicle placed on the windshield or other comparable surface; no inflatable devices, non-business identification signs, flags or streamers shall be allowed;
 - d. that this conditional use approval be non-transferable to any future owners or tenants of the property, and;
 - e. that the 39-foot wide easement be maintained between this property and the properties to the north as shown on the site plan presented to the Plan Commission on April 18, 2005.

These restrictions may be modified, including a renewal or extension of the conditional use permit for an additional period, after a public hearing before the Plan Commission.

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

1. Please revise your plans per the above and submit *six (6) 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. 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.
3. 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 the building permit. [Sec. 28.12 (11)(h)(3)] The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against this approved conditional use.

If you have any questions regarding obtaining your building and/or occupancy permit, please contact the Zoning Administrator at 266-4551. If I may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

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

Signature of Applicant

cc: Kathy Voeck, Acting Zoning Administrator
John Lippitt, Madison Fire Department
John Leach, Traffic Engineering

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Unit	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Fire Department
<input type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Other: