

CITY OF MADISON

Proposed Rezoning & Conditional Use

Location: 5622 Milwaukee Street

Project Name: Homburg Construction Yard

Applicant: Chris Homburg - Homburg Equipment, Inc

Existing Use: Concrete Mixing Plant
and Contractor's Office

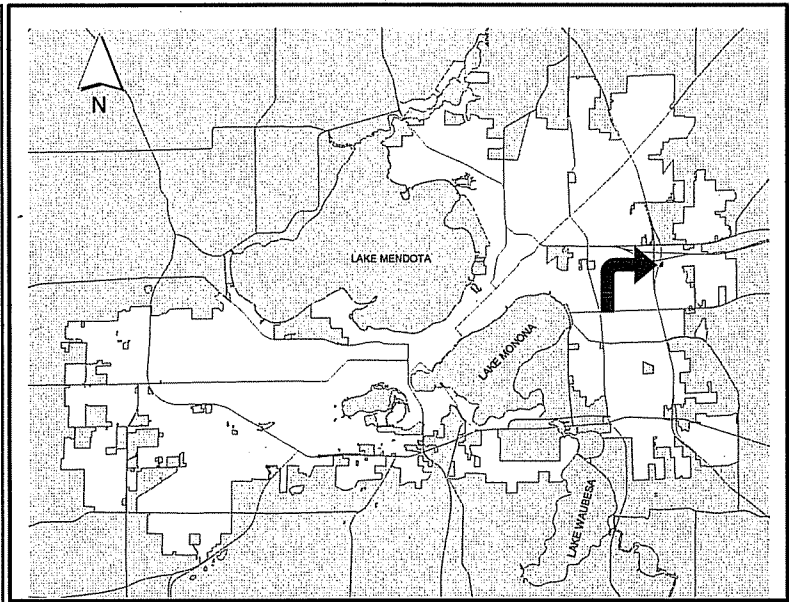
Proposed Use: Update Zoning to Bring Concrete
Mixing Plant and Contractor's Office Into Compliance

From: Temp A To: M1

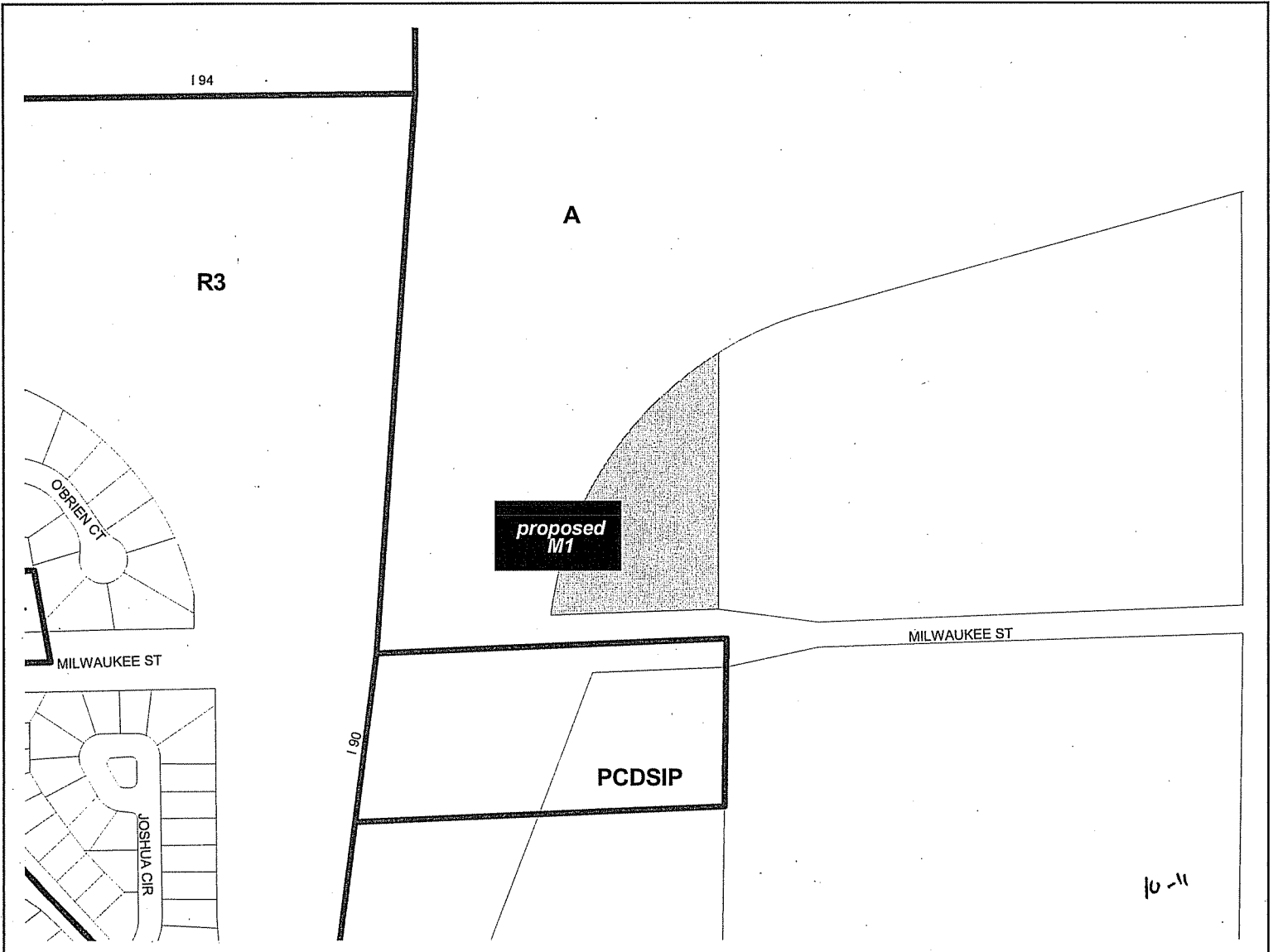
Public Hearing Dates:

Plan Commission 01 May 2006

Common Council 16 May 2006



For Questions contact: Michael Waidelichat: 267-8732 or mwaidelich@cityofmadison.com or City Planning at 266-4635

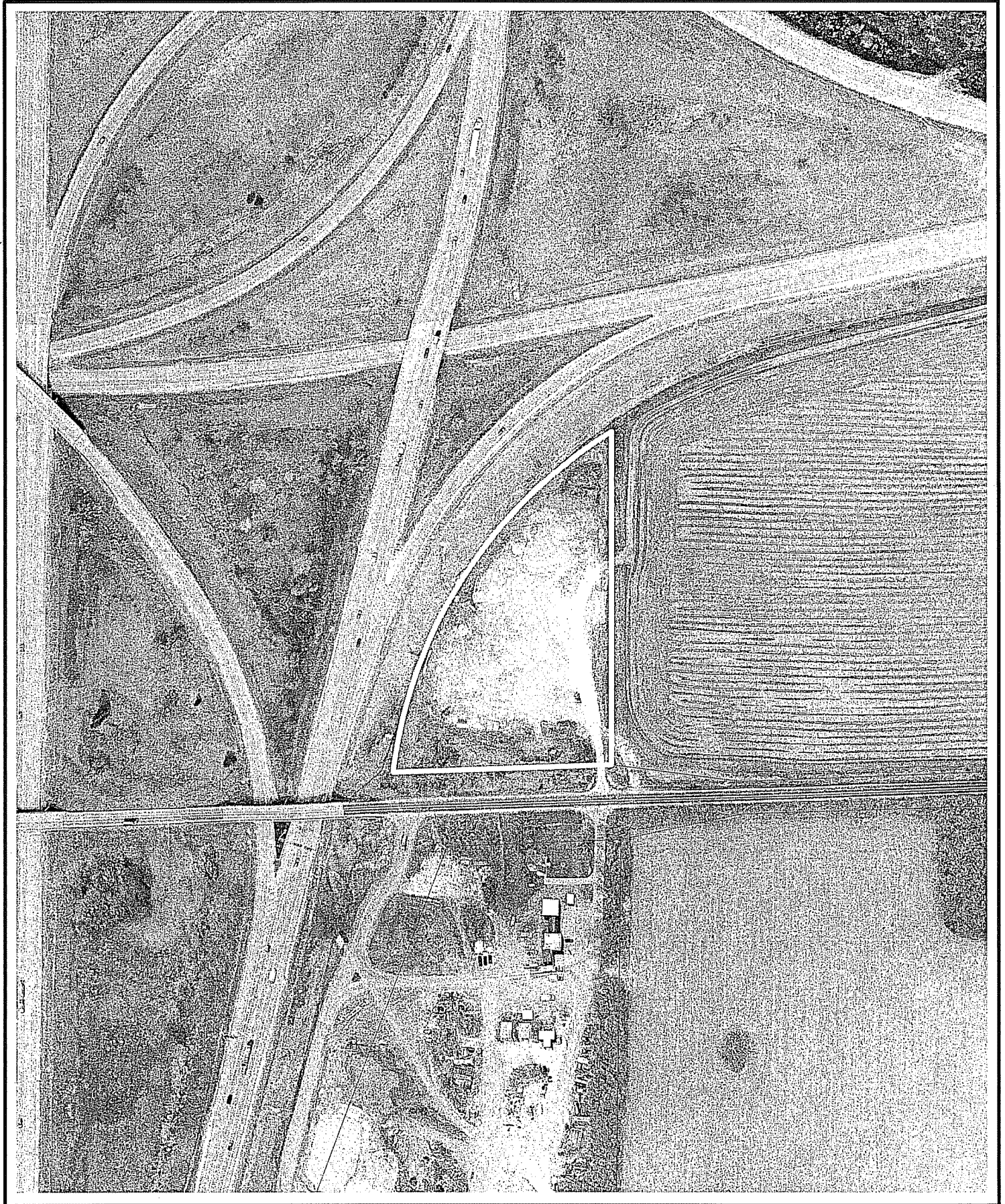


5622 Milwaukee Street

100 0 100 Feet



Date of Aerial Photography - April 2003



10-11

LAND USE APPLICATION Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100
PO Box 2985; Madison, Wisconsin 53701-2985
Phone: 608.266.4635 | Facsimile: 608.267.8734

- The following information is required for all applications for Plan Commission review.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at www.cityofmadison.com/planning/plan.html
- All zoning application packages should be filed directly with the Zoning Administrator's desk.
- All applications will be reviewed against the applicable standards found in the City Ordinances to determine if the project can be approved.



FOR OFFICE USE ONLY:

Amt. Paid N/A Receipt No. _____
 Date Received 3-8-06
 Received By KAV
 Parcel No. 0710-022-0099-8
 Aldermanic District 3 - Lauren Chave
 GQ ok
 Zoning District A (Temp.)
For Complete Submittal
 Application Letter of Intent
 IDUP N/A Legal Descript. attached
 Plan Sets Zoning Text N/A
 Alder Notification _____ Waiver
 Ngrbrhd. Assn Not. N/A Waiver _____
 Date Sign Issued 3-8-06

1. Project Address: 5622 Milwaukee Street **Project Area in Acres:** 5.23

Project Title (if any): Homburg Construction Yard

2. This is an application for: (check at least one)

Zoning Map Amendment (check only ONE box below for rezoning and fill in the blanks accordingly)

Rezoning from A to M1-Restricted Rezoning from _____ to PUD/PCD-SIP

Rezoning from _____ to PUD/PCD-GDP Rezoning from PUD/PCD-GDP to PUD/PCD-SIP

Conditional Use **Demolition Permit** **Other Requests** (Specify): _____

3. Applicant, Agent & Property Owner Information:

Applicant's Name: Homburg Equipment, Inc. Company: _____
 Street Address: 4621 Tonyawatha Trail City/State: Monona, WI Zip: 53716
 Telephone: (608) 241-1178 Fax: (608) 244-9113 Email: _____

Project Contact Person: Chris Homburg Company: Homburg Equipment, Inc.
 Street Address: 6106 Milwaukee Street City/State: Madison, WI Zip: 53718
 Telephone: (608) 244-3554 Fax: (608) 244-9113 Email: CHomburg@HomburgInc.com

Property Owner (if not applicant): _____
 Street Address: _____ City/State: _____ Zip: _____

4. Project Information:

Provide a general description of the project and all proposed uses of the site: Updating zoning to bring existing uses into compliance: MGO 28.10(4)(c): 1-Accessory uses; 2-Agriculture; 10-Contractor offices, shops and yards; 38-Storage yards; 41-Weighing stations; and Conditional Use (d)3-Asphalt and concrete batching or ready-mix plants. (See deed restriction)

Development Schedule: Commencement _____ Completion _____

5. Required Submittals:

Site Plans submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:

- **Seven (7) copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
- **Seven (7) copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
- **One (1) copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper

Letter of Intent: Twelve (12) copies describing this application in detail but not limited to, including: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.

Legal Description of Property: Lot(s) of record or metes and bounds description prepared by a land surveyor.

Filing Fee: \$ Exempt See the fee schedule on the application cover page. Make checks payable to: *City Treasurer*.

IN ADDITION, THE FOLLOWING ITEMS MAY ALSO BE REQUIRED WITH YOUR APPLICATION; SEE BELOW:

For any applications proposing demolition of existing (principal) buildings, photos of the structure(s) to be demolished shall be submitted with your application. Be advised that a *Reuse and Recycling Plan* approved by the City's Recycling Coordinator is required to be approved by the City prior to issuance of wrecking permits.

A project proposing **ten (10) or more dwelling units** may be required to comply with the City's Inclusionary Zoning requirements outlined in Section 28.04 (25) of the Zoning Ordinance. A separate INCLUSIONARY DWELLING UNIT PLAN application detailing the project's conformance with these ordinance requirements shall be submitted concurrently with this application form. Note that some IDUP materials will coincide with the above submittal materials.

A *Zoning Text* must accompany **all** Planned Community or Planned Unit Development (PCD/PUD) submittals.

FOR ALL APPLICATIONS: All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as **INDIVIDUAL** Adobe Acrobat PDF files compiled either on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants who are unable to provide the materials electronically should contact the Planning Unit at (608) 266-4635 for assistance.

6. Applicant Declarations:

Conformance with adopted City plans: Applications shall be in accordance with all adopted City of Madison plans:

→ The site is located within the limits of Sprecher Neighborhood Development Plan, which recommends:
Residential use long-term. This application is to allow the existing interim use to continue for this property.

Pre-application Notification: Section 28.12 of the Zoning Ordinance requires that the applicant notify the district alder and any nearby neighborhood or business associations by mail no later than **30** days prior to filing this request:

→ List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:
Waiver from Alder Cnare attached

If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.

Pre-application Meeting with staff: Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning Counter and Planning Unit staff; note staff persons and date.

Planner Michael Waidelich Date 2/27/2006 | Zoning Staff Ron Towle Date 2/27/2006

The signer attests that this form has been completed accurately and all required materials have been submitted:

Printed Name Chris Homburg Date March 7, 2006

Signature Chris Homburg Relation to Property Owner Corporate Secretary

Authorizing Signature of Property Owner Chris Homburg Date 3/7/06



Department of Planning & Development
 Planning/Inspection/Real Estate/Community & Economic Development
 Mark A. Olinger, Director

Bradley J. Murphy
 Planning Unit
 215 Martin Luther King, Jr. Boulevard
 P.O. Box 2985
 Madison, WI 53701-2985
 (608) 266-4635

REVIEW REQUEST FOR:

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER _____

5222 MILWAUKEE STREET
 RZ: TEMPA → M1
 EXISTING CONCRETE MIXING PLANT & CONTRACTORS OFFICE
 CHRIS HOMBURG - HOMBURG EQUIPMENT, INC

9

PLANNING UNIT CONTACT: MICHAEL WAIDELICH

RETURN COMMENTS BY: 20 APRIL 2006

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: chomburg@homburginc.com Fax: 244-9113

Date Submitted: 08 MARCH 2006 Plan Commission: 01 MAY 2006

Date Circulated: 13 MARCH 2006 Common Council: 16 MAY 2006

CIRCULATED TO:

- | | | |
|--|---|---|
| <input type="checkbox"/> ZONING | <input type="checkbox"/> DISABILITY RIGHTS | <input type="checkbox"/> ALD. _____ DIST. _____ |
| <input type="checkbox"/> FIRE DEPARTMENT | <input type="checkbox"/> POLICE DEPT. - THURBER | <input type="checkbox"/> MADISON GAS & ELECTRIC |
| <input type="checkbox"/> PARKS DIVISION | <input type="checkbox"/> CITY ASSESSOR - SEIFERT | <input type="checkbox"/> ALLIANT ENERGY |
| <input type="checkbox"/> TRAFFIC ENGINEERING | <input type="checkbox"/> MADISON METRO - SOBOTA | <input type="checkbox"/> SBC |
| <input type="checkbox"/> CITY ENGINEERING | <input type="checkbox"/> BOARD OF EDUCATION C/O SUPT. | <input type="checkbox"/> MID PLAINS TELE |
| <input type="checkbox"/> WATER UTILITY | <input type="checkbox"/> PUBLIC HEALTH - K. VEDDER | <input type="checkbox"/> MT. VERNON TELE |
| <input type="checkbox"/> CDBG - CONSTANS | <input type="checkbox"/> NEIGHBORHOOD ORGANIZATION | _____ |
| <input type="checkbox"/> REAL ESTATE - EKOLA | | _____ |

Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.

One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.

The above is located in your district. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.

The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning & Development Office for review. If you have any questions or comments, contact our office at 266-4635.

A resolution will be before the Common Council within a few weeks regarding this matter.

RETURN COMMENTS TO: PLANNING UNIT, DEPARTMENT OF PLANNING & DEVELOPMENT

NO COMMENTS / YOUR COMMENTS:

March 7, 2006

City of Madison
Department of Planning & Development
215 Martin Luther King Jr. Blvd.
P. O. Box 2984
Madison, WI 53701-2984

Ladies & Gentlemen:

With this letter we are making a formal request to change the zoning of the following parcel within the City of Madison:

Part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ Section 2, T7N, R10E, City of Madison, Dane County, Wisconsin, being more fully described as follows: Commencing at the West $\frac{1}{4}$ corner of said Section 2; thence N $87^{\circ}55'36''$ E, along the South line of said Northwest $\frac{1}{4}$, 856.42 feet; thence N $20^{\circ}09'19''$ E, 81.02 feet to the North right-of-way line of Milwaukee Street and the point of beginning; thence N $16^{\circ}44'19''$ E, along the Southeasterly right-of-way of Interstate highway "94", 123.02 feet; thence Northeasterly, along said right-of-way, on a curve to the right having a radius of 1045.92 feet and a long chord bearing N $20^{\circ}51'15''$ E, 150.07 feet; thence continuing Northeasterly, along said right-of-way on a curve to the right having a radius of 1045.92 feet and a long chord bearing N $39^{\circ}47'35''$ E, 535.22 feet; thence continuing Northeasterly, along said right-of-way on a curve to the right having a radius of 1045.92 feet and a long chord bearing N $56^{\circ}55'47''$ E, 84.39 feet; thence S $00^{\circ}06'43''$ W, 707.87 feet to the North right-of-way line of Milwaukee Street; thence N $82^{\circ}54'07''$ W, along said North line, 71.16 feet; thence continuing, along said right-of-way, S $87^{\circ}55'36''$ W, 430.20 feet to the point of beginning. Said Parcel Contains 228,011 Sq. Ft. or 5.23 Acres.

The purpose of this zoning request is to make the existing use of this parcel conforming. This parcel has been zoned temporary Agricultural since 1962 when it was annexed into the City to enable the construction of the Badger Interchange. We are requesting a zoning change to restricted M-1 zoning to allow the existing construction yard, and a conditional use permit to allow the continued use of batch plants for construction materials.

We are also requesting a property line adjustment between parcels to ensure the full extent of the existing use is within the proposed parcel. This adjustment adds approximately 1.1 acres to the existing parcel, basically moving the Eastern edge of the parcel to 10' east of the existing driveway and creating the 5.23 acre parcel that is described above.

This parcel is adjacent to our existing Milwaukee Street quarry and has been an ancillary use to the quarry for many years. We are voluntarily restricting the uses of the proposed M-1 zoning to match the existing type of use, and those uses that would reasonably be anticipated for a quarry/construction operation.

There are currently no permanent structures on the site.

This parcel is owned by Homburg Equipment, Inc., a family business. The owners and principals of the business are myself, my brother Andrew Homburg, and my parents Harold & Shirley Homburg. The current uses adjacent to this parcel are The Interstate highway to the North & West, our Quarry to the South, and our farm to the East.

The current use of the site is a construction yard. At times, there will also be a batch plant in the construction yard. There are very high grade aggregates at the adjacent pit which make this an attractive site for the existing batch plant. Batching the concrete nearby limits unnecessary hauling of the aggregates, thus reducing fuel usage, truck wear, and other unnecessary environmental impacts. The active area of the yard is a crushed stone surface, and the site is gated & locked when not in use. There is a substantial natural green space between the active area of the parcel & Milwaukee Street including an incredible, massive oak tree (see attached photos) that is well protected. The entrance is a boulevard entrance which allows exiting large trucks & semis adequate room to stack while still allowing large vehicles to enter and maneuver on site. The current set up has worked well for many years without any problems that we are aware of. We understand that we will need to move one gate out of the right of way, and pave the driveways up to the gates.

We will record a deed restriction against the property restricting the allowed uses under M-1 zoning for the site to the following (with paraphrased description):

- 1 (accessory uses)
- 2 (agricultural uses)
- 10 (contractor offices, shops, & yards)
- 38 (storage yard)
- 41 (weighing)
- conditional use #3 (asphalt or concrete batching or redi-mix plants).

The hours of operation of this site are quite variable, and mirror those of the adjacent quarry. Many times during a month the gates will not even be unlocked. However, when the pavement for East Washington Avenue is being poured, for example, the batch plant may run from 6:00 in the morning to 7:00 at night. The only time the site is used in non-daylight hours is when major batching is taking place, which is very rare. When this occurs the lighting for the site is provided by the batch plant.

At such time as the existing quarry is depleted, and a Zoning change is requested for the quarry & the remainder of our farm south of the Interstate, we agree to a review of the zoning on this parcel also.

I am enclosing 12 copies of this letter of intent, the required plan sets, and the application fee.

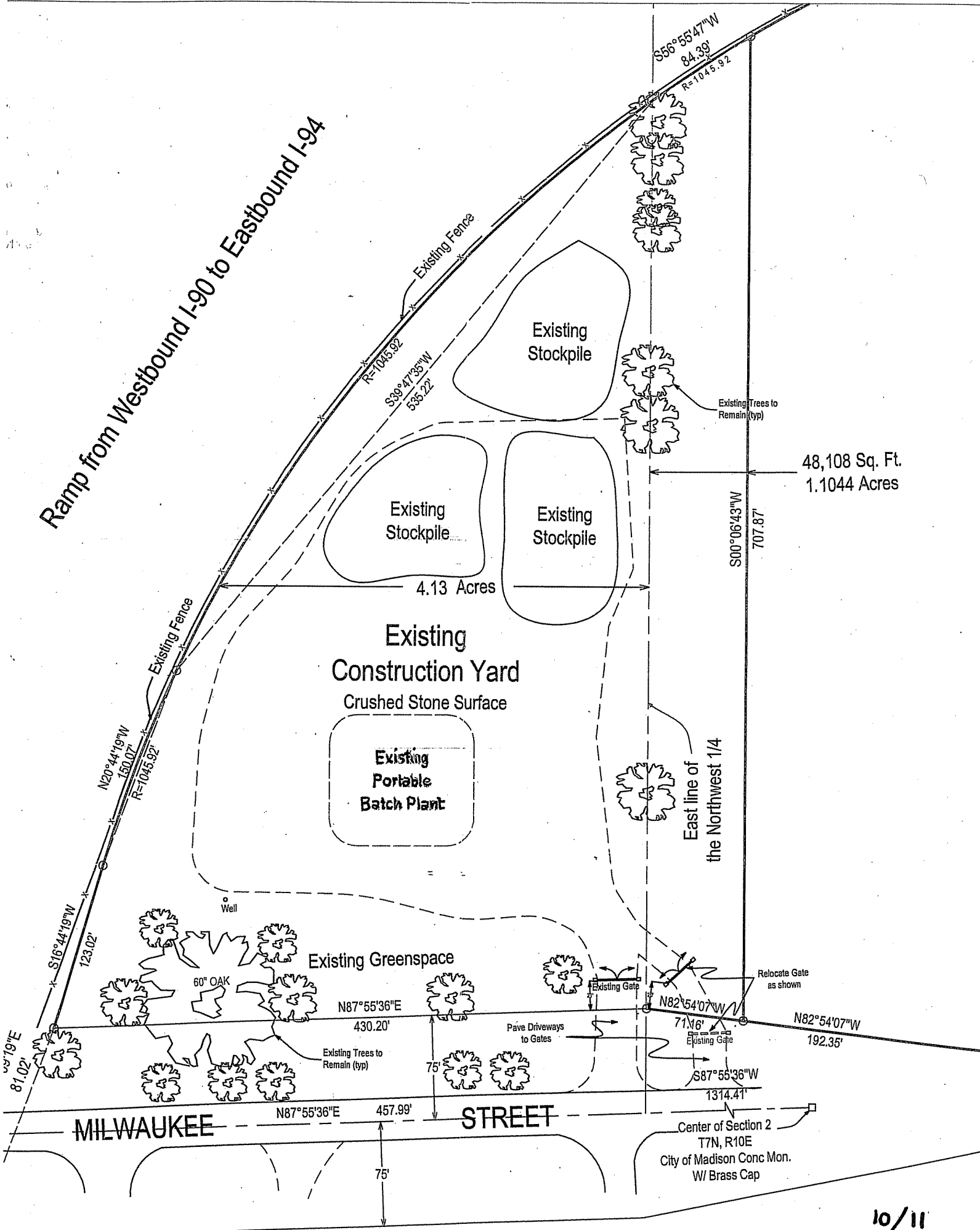
If you have any questions please do not hesitate to contact this office.

Sincerely,



Chris A. Homburg, P.E.
Homburg Equipment, Inc.

Ramp from Westbound I-90 to Eastbound I-94



48,108 Sq. Ft.
1.1044 Acres

4.13 Acres

Existing
Construction Yard
Crushed Stone Surface

Existing
Portable
Batch Plant

Existing Greenspace

MILWAUKEE

STREET

Center of Section 2
T7N, R10E
City of Madison Conc Mon.
W/ Brass Cap

10/11



View of property from Southwest looking across Milwaukee Street.



View of property from Southeast looking across Milwaukee Street.