



Department of Planning & Community & Economic Development

Planning Division

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

October 23, 2023

Brad Koning
Sketchworks Architecture
2501 Parmenter Street, Suite 100B
Middleton, WI 53562

RE: Consideration of a Planned Development–Specific Implementation Plan (PD-SIP) to construct a two-story, 10,390 square-foot commercial building at 6853 McKee Road. (ID [79524](#), LNDUSE-2023-00052)

Brad Koning,

On October 19, 2023, the Common Council found the standards met and **conditionally approved** your zoning map amendment for 6853 McKee Road. In order to receive final approval of the conditional use and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact Lisa McNabola of the Planning Division at (608) 243-0554 if you have any questions regarding the following three (3) items:

1. The proposed development, as conditionally approved, is found to be consistent with the General Development Plan and the applicable approval standards. It is acknowledged that the more detailed plans presented as part of this Specific Implementation Plan application include an approximately 390 sf larger building than the development concept conditionally approved in the approved General Development Plan. Prior to final sign-off and the issuance of permits, the Zoning Text for the PD shall be revised, for approval by Planning and Zoning staff, to allow for the development, as approved. The Zoning text shall also include other conditions specified by Zoning staff.
2. The applicant shall receive final approval from the Urban Design Commission (UDC) prior to receiving final sign-off, subject to the approval standards for Planned Developments found in MGO §28.098. The applicant may appeal the Urban Design Commission's decision to the Plan Commission, which may affirm, reverse, or modify the Urban Design Commission's decision. As a reference the approval conditions recommended by the UDC as part of their initial approval are listed in condition 4, below.

3. A sidewalk connection shall be constructed along the eastern side of Golden Copper Lane. This shall be constructed on the subject property unless the applicant provides agreements that this can be constructed on the adjoining property, as depicted on plans. Details shall be approved by staff.

Please contact Urban Design Secretary Jessica Vaughn at (608) 267-8740 if you have any questions regarding the following one (1) item:

4. The project shall return to the Urban Design Commission for Final Approval (as noted below)
 - a. The building design shall be revised to address the following design issues as noted by the Commission in their discussion, including looking at the windows again, the location of where there is stone versus stucco, and also the proportions and sloping and massing on the roofs.
 - b. The landscape plan shall be revised as follows:
 - i. To show approximately three times as many perennials along the building foundation on either side of the main entrance.
 - ii. To indicate shredded hardwood mulch versus stone in the planting beds.
 - iii. To show mulch planting beds for the plantings underneath trees.
 - iv. The location of the trees along McKee Road shall be shifted to be further away from the building entry.

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

5. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering 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. (MGO 16.23(9)(d)(4))
6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.
10. Revise the site plans to show the location, depth, type, and size of existing and proposed private utilities (gas, electric, phone, steam, chilled water, etc.) in the project area or the adjacent right-of-way. (POLICY)

11. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)
12. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances 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. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

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.

13. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to submit a Storm Water Management Permit application, associated permit fee, Stormwater Management Plan, and Storm Water Management Report to City Engineering. The Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

The Storm Water Management Plan & Report shall include compliance with the following:

Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.

Electronic Data Files: Provide electronic copies of any stormwater management modeling or data files including SLAMM, RECARGA, TR-55, HYDROCAD, Sediment loading calculations, or any other electronic modeling or data files. 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 to City Engineering. (POLICY and MGO 37.09(2))

Rate Control New Development: Detain the 2, 5, 10, 100, & 200 - year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.

Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.

TSS New Development: Reduce TSS by 80% (control the 5-micron particle) off of newly developed areas compared to no controls.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

Thermal Control: Provide substantial thermal control to reduce runoff temperature in cold water community or trout stream watersheds.

100-year Overflow: The applicant shall demonstrate that water can leave the site and reach the public ROW without impacting structures during a 100-year event storm. This analysis shall include reviewing overflow elevations and unintended storage occurring on site when the storm system has reached capacity.

Submit a draft Stormwater Management Maintenance Agreement (SWMA) for review and approval that covers inspection and maintenance requirements for any BMP used to meet stormwater management requirements on this project.

14. 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 ttroester@cityofmadison.com (West).

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following nine (9) items:

15. The Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
16. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
17. 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.
18. 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.
19. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
20. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

21. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
22. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) - Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.
23. The applicant shall provide a clearly defined 5' walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

Please contact Brandon Sly of the Forestry Section at (608) 266-4816 if you have any questions regarding the following six (6) items:

24. 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.
25. 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.
26. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. 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.
27. 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.

28. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) 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.
29. 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.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following one (1) item:

30. A Water Meter Application Form and fees must be submitted before connecting to the existing water lateral. Provide at least two working days notice between the application submittal and the scheduled lateral connection/extension. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin Ave. A licensed plumber signature is required on all water service applications. For new or replacement services, the property owner or authorized agent is also required to sign the application. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Timothy Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following two (2) items:

31. Metro Transit operates daily all-day transit service along McKee Road and Maple Grove Drive near this property - with trips at least every 60 minutes.
32. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 74 Weekday & 34 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Please contact Jeffrey Quamme of the City Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following six (6) items:

33. The future building address is correct. It will have an address of 6728 Mader Dr.

34. The pending amended Declaration of Reciprocal Stormwater Easements, Amended Declaration of Easements shall be execute and recorded prior to final site plan sign off. These documents address

the private storm water management area in the southwest corner of this site. These amendments are required to be recorded after the pending Certified Survey Map has been recorded.

35. The pending private storm sewer easement for the benefit of the future Lot 2 east of this site shall be recorded after the pending Certified Survey Map and prior to final site plan sign off.
36. The pending private sanitary sewer easement for the benefit of the future Lot 2 east of this site shall be recorded after the pending Certified Survey Map and prior to final site plan sign off.
37. Identify on the plans the future lot numbers of the pending Certified Survey Map. Also place the correct bearing and distance for the west line of this lot. There are two different notations.
38. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), 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 permit.

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following seven (7) items:

39. In the Zoning Text, revise the signage to be allowed as per Chapter 31 of the Madison General Ordinances, as compared to the CC-T district.
40. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
41. Parking requirements for persons with disabilities must comply with Section 28.141(4)(e). Final plans shall show the required 3 accessible stalls including 1 van accessible stall.
42. Provide a detail of the proposed bike rack.
43. 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 ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
44. Clarify the zoning text to say that all buildings will be at least two stories in height.
45. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. All glass railings must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment product that will be used.

The following agencies reviewed the request and recommended no conditions of approval: Fire

Department, Parks Division, Parking Utility

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

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

1. After the plans have been revised per the above conditions, please submit one (1) complete digital plan set in PDF format 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). The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.
2. 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.
3. 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.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 243-0554 or lmcnabola@cityofmadison.com.

Sincerely,



Lisa McNabola
Planner

cc: Jacob Moskowitz, Asst. Zoning Administrator
Jeffrey Quamme, Mapping Section
Tim Troester, Engineering Division
Sean Malloy, Traffic Engineering
Jeff Belshaw, Water Utility
Brandon Sly, Forestry Division
Tim Sobota, Metro Transit

LNDUSE-2023-00052			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div.	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry Division