



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

October 17, 2007

John Bieno
TJK Design Build
634 West Main Street
Madison, WI 53703

RE: Approval of a request to remove an existing home and demolish four outbuildings and rezone 5402 Voges Road from A-Agricultural District to MI-Limited Manufacturing District and W-Wetland District to allow development of a multi-tenant commercial and light industrial facility and; Approval of a conditional use to construct an off-site parking lot at the northern portion of the property at the same address.

Dear Mr. Bieno:

At its October 16, 2007 meeting, the Common Council **approved** your request to rezone 5402 Voges Road from A-Agricultural District to MI-Limited Manufacturing District and W-Wetland District to allow development of a multi-tenant commercial and light industrial facility. At its meeting of October 1, 2007, the Plan Commission **approved** your request for a conditional use to construct an off-site parking lot at the northern portion of the same property and for a demolition/removal permit for the existing structures on site.

In order to receive final approval of the demolition/removal permit and for the conditional use to be in effect, the following conditions must be met and this letter signed and returned to the Zoning Administrator. Additionally, the following conditions of approval shall be satisfied prior to final approval and recording of the rezoning.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following fifteen (15) items.

1. Any pavement damage or patching shall require restoration in accordance with the City's Patching Criteria, including removal and replacement of curb at the existing driveways.
2. Revise plans to reference Madison Commercial Drive requirements, not Verona.
3. The City Engineer is recommending the installation of sidewalk on Voges Road, however the existing wetlands may make the installation difficult or impossible. The City Engineer shall delete the sidewalks or reduce the amount of sidewalk if the installation is not practical or not permitted by the WI DNR.
4. Stormwater discharge shall be directed easterly to Marsh Road with connection from the wetland to the storm sewer in Marsh Road. Revise plans to prevent the flow of water to the west or northwest.
5. A copy of the wetland delineation report and an electronic DGN file of the wetland boundary shall be provided to City Engineering.
6. Applicant shall provide evidence of proper permitting from the Dane County Department of Health for septic system removal or abandonment.

7. Prior to issuance of Occupancy Permits, an approved addressing plan must be obtained from the City Engineering Division. Coordinate with Program Specialist Lori Zenchenko at 266-5952 or lzenchenko@cityofmadison.com
8. 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.
9. The value of sidewalk installation is over \$5,000. The Applicant shall construct sidewalk to a plan approved by the City Engineer along Voges Road.
10. The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
11. 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.
12. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial 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.
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 a) detain the 2 & 10-year storm events b) control 80% TSS (5 micron particle), c) provide infiltration in accordance with Chapter 37 of the Madison General Ordinances, d) provide oil & grease control from the first 1/2" of runoff from parking areas, and e) 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.
14. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. 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. Please include the site address in this transmittal.
15. 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, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities, and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

16. The applicant shall submit prior to plan sign-off, electronic copies of any stormwater management file including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc. and; 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.
17. 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>.
18. 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.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following five (5) items.

19. The applicant shall provide scaled drawing of 5402 Voges Road & 3760 Marsh Road at 1" = 40' or larger on one contiguous plan sheet showing all the facility's access, existing and proposed buildings, layouts of parking lots, loading areas, trees, signs, semitrailer and vehicle movements, ingress/egress easements and approaches. Contact City Traffic Engineering if you have questions.
20. The applicant shall install public sidewalk the length of the property and ramps at the intersection.
21. 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), driveway approaches across the street, 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'.
22. When site plans are submitted for approval, the developer shall provide a recorded copy of the joint driveway ingress/egress, parking and crossing easements available to all lots in the project.
23. A "Stop" sign shall be installed at a height of seven (7) feet 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.
24. 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 Tim Sobota, Metro Transit, at 261-4289 if you have questions about the following three (3) items.

25. The applicant shall coordinate with City Engineering to complete installation of sidewalk, as necessary, along the parcel frontage parallel to both Voges Road and to Marsh Road.
26. Metro Transit currently operates supplemental school day service along Voges Road and Marsh Road adjacent this parcel. Future expansion of fixed route bus service may occur as additional development is added to the overall Marsh Road neighborhood.
27. Metro Transit requests to sign and review final documents submitted for this project.

Please contact Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following two (2) items:

28. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows: (commercial structures only)
 - a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
29. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have questions regarding the following seven (7) items:

30. Meet all applicable State accessible parking and access requirements, including but not limited to:
 - a. Provide the required accessible stalls, striped per State requirements.
 - b. Show signage at the head of the stalls.
 - c. Show the accessible path from the stalls to the building.
 - d. Show ramps, curbs, and/or wheel stops where required.
31. Provide 10 bicycle 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.
32. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
33. Provide one 10' x 35' loading areas with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
34. Lighting is not required. However, if it is provided, it must comply with City of Madison outdoor lighting standards.
35. Provide wetland setback information on the final plans.
36. The required number of parking spaces will be determined at the time the occupancy for the tenant spaces is identified. For example, the following ratios would apply:

- Manufacturing and warehousing establishments, contractor shops, production and processing facilities, research and development and testing facilities: 1 space per 2 employees.
- General commercial uses: 1 per 300 sq. ft. of gross floor area
- Amusement establishments and recreational buildings: 10% the capacity of the facility.

Please contact my office at 267-1150 if you have questions about the following four (4) items.

37. That the final submitted site plans be drawn to scale and include sufficient detail that clearly indicates the proposed parking lots and other improvements are not within the wetland or the required 75 foot setback area.
38. That a reuse and recycling plan be approved by the City Recycling Coordinator.
39. That the applicant submit the Wisconsin Department of Natural Resources and/or Army Corps of Engineers approved wetland delineation, which will in turn serve as an alteration to the mapped environmental corridor to be approved by the Capital Area Regional Planning Commission.
40. That a deed restriction, approved by staff, be recorded to limit the permitted and conditional uses to those consistent with the Marsh Road Neighborhood Development Plan. The deed restriction should prohibit the following uses otherwise permitted in the M1 district:
 - a. Amusement establishments, including archery ranges, bowling centers, dance halls, golf driving ranges, gymnasiums, pool halls, swimming pools, skating rinks and other similar indoor amusement facilities
 - b. Automobile service stations for the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and supplies, including installation and minor services customarily incidental thereto, and facilities for chassis and gear lubrication and for washing of motor vehicles, only if enclosed in a building, and accessory towing and wrecker service
 - c. Banks and financial institutions
 - d. Garages for repair and servicing of motor vehicles, including body repair, painting or motor rebuilding, and accessory towing and wrecker service
 - e. Meeting halls, convention halls, and exhibition halls
 - f. Taverns
 - g. Nursery Schools
 - h. Mission Houses
 - i. Restaurants and theaters
 - j. Medical, dental, and optical clinics
 - k. Drive-up service windows for banks and financial institutions
 - l. Adult entertainment establishments
 - m. Recording studios
 - n. Handgun shop
 - o. Brewpub

The following permitted uses should be limited to non-retail uses:

- a. Dry-cleaning and laundry establishments
- b. Express and parcel delivery establishments
- c. Furniture and floor covering storage and sales

The deed restriction should also prohibit the following conditional uses permitted in the M1 district:

- a. Amusement establishments, including fairgrounds, permanent carnivals, kiddie parks and other similar outdoor amusement facilities

- b. Automobile laundries
- c. Junkyards and automobile storage yards
- d. Outdoor eating and recreation area of restaurants and taverns
- e. Second hand stores and rummage shops
- f. Automobile drive in theatres
- g. Automobile and motorcycle sales and rental establishments
- h. Adult entertainment taverns

Please now follow the procedures listed below for obtaining your rezoning, demolition permit, and conditional use:

1. Please revise your plans per the above and submit *ten (10) 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. Please submit two copies of the draft deed restriction for review by the City Attorney and City Planning staff prior to sign off.
3. A reuse and recycling plan, approved by the Recycling Coordinator, is required by ordinance prior to the issuance of a wrecking permit.
4. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
5. 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.

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 said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit and conditional use permit.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 267-1150.

Sincerely,

Kevin Firchow, AICP
 Planner

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

Signature of Applicant

- cc: Janet Dailey, City Engineering
 John Leach, Traffic Engineering
 Tim Sobota, Madison Metro
 Scott Strassburg, Madison Fire Department
 Matt Tucker, Zoning Administrator

For Official Use Only Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input type="checkbox"/>	CDBG
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Comm. Staff
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Other: Metro