

**PLANNING DIVISION REPORT  
DEPARTMENT OF PLANNING AND COMMUNITY  
AND ECONOMIC DEVELOPMENT  
Of July 31, 2007**

**RE: I.D. # 07109, Conditional Use Application – 201 S. Gammon Road**

1. Requested Action: Approval of a conditional use for a wireless telecommunications facility at Madison Memorial High School, 201 S. Gammon Road.
2. Applicable Regulations: Section 28.07 (3)(c) identifies public utility and public service uses such as telecommunication facilities generally as conditional uses A zoning. Section 28.04 (23) provides the detailed requirements for telecommunication facilities throughout the City of Madison. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.
3. Report Prepared By: Timothy M. Parks, Planner

**GENERAL INFORMATION**

1. Applicant: Dana Kerr & Bryan Lzuka, SAC Wireless, as consultant for Cingular Wireless; 9011 W. Hawthorne Lane; Franklin.  
  
Property Owner: Madison Metropolitan School District; Doug Pearson, representative.
2. Development Schedule: The applicants wish to proceed as soon as all necessary approvals have been granted.
3. Location: An approximately 1,150 leasehold area located in the southwesterly quadrant of the combined 70.9-acre Madison Memorial High School/ Jefferson Middle School property located at the northeast corner of S. Gammon Road and Mineral Point Road; Aldermanic District 19; Madison Metropolitan School District.
4. Existing Conditions: James Madison Memorial High School sits near the center of the overall site, with a baseball field located in the southwestern corner of the property and Mansfield Stadium located in the southeastern quadrant of the overall 70.9-acre site, which is zoned A (Agriculture District).
5. Proposed Land Use: The applicants wish to erect a 110-foot tall wireless telecommunications (aka. cellular) tower immediately south of the Mansfield Stadium grandstand within a 1,150 square-foot equipment enclosure.
6. Surrounding Land Use and Zoning: The Madison Memorial/ Jefferson school complex is generally near a variety of retail and office uses along Mineral Point Road and S. Gammon

Road in the C1, C2 and C3L commercial zoning districts, with residential uses generally located to the north and east in the R1, R3 and R4 residential zoning districts.

7. Adopted Land Use Plan: The subject site is identified as a "special institutional" district in the Comprehensive Plan.
8. Environmental Corridor Status: The subject site is located in a mapped environmental corridor as publicly owned land. In general, the portions of the Madison Memorial/ Jefferson complex not occupied with school buildings or surface parking are located in the corridor.
9. Public Utilities & Services: The property is served by a full range of urban services.

#### **STANDARDS FOR REVIEW**

This application is subject to the conditional use standards of Section 28.12 (11) and the general provisions for telecommunication facilities in Section 28.04 (23).

#### **PREVIOUS APPROVAL**

On March 1, 2004, the Plan Commission granted approval of a similar wireless communications tower to be located in approximately the same location on the subject site.

#### **ANALYSIS, EVALUATION & CONCLUSION**

The applicant is requesting approval of a conditional use to allow construction of a 110-foot tall wireless communications (cellular) tower adjacent to the southwest corner of Mansfield Stadium on the site of James Madison Memorial High School. The 70.9-acre site is shared with Jefferson Middle School and is generally located along the east side of S. Gammon Road north of Mineral Point Road. The stadium occupies the southeastern quadrant of the overall site and is located to the east of a baseball field located at the Mineral Point-Gammon corner and generally southeast of the high school complex. The cell tower will be housed in a 1,150 square-foot leasehold located directly south of the stadium grandstand.

The applicant's antenna array will be located at the top of the 110-foot monopole tower, which will also include two co-location opportunities for other carriers located at 90 and 100 feet on the tower. The tower will be placed near a light pole for the football field. The height of the nearby light pole is not indicated, though the applicant indicates that the 13 light poles that surround the football and baseball fields range in height from 75-110 feet in height.

A 228 square-foot modular equipment shelter will be erected on the eastern half of the 1,150 square-foot base compound, with two 99 square-foot areas shown for the base equipment for the

co-located carriers. The equipment shelter will be constructed of a composite rock exterior. The base compound will be enclosed by a six-foot tall chain-link fence with green diagonal slats and topped by three strands of barbed wire. Two staggered rows of columnar evergreens will be planted along the northern and western sides of the compound to provide screening from the grandstand and nearby parking areas. An existing line of trees located between the compound and the stadium sports track will provide screening of the base equipment from within the stadium. Ivy will be planted on the southern fence of the compound facing a discus/ shot put field that adjoins the stadium.

Public utility and public service uses such as telecommunication facilities as conditional uses in the Agriculture zoning district. In 1998, the Zoning Ordinance was amended to provide specific requirements for telecommunications facilities and antennas. The ordinance requires that all new telecommunication towers be designed to accommodate at least three separate antenna arrays on the tower and in the base compound unless evidence is presented with the application that the required construction is economically and technologically infeasible. The Plan Commission may also determine for reasons of aesthetics or compliance with the ordinance that a tower need not provide the additional arrays. The goals of the ordinance include protecting residential areas and land uses from the potential adverse impacts of telecommunication towers and antennas and limiting the overall number of towers in an effort to reduce their visual impact on the landscape by encouraging the shared use of tower sites. The Zoning Ordinance requires that an analysis be prepared by the applicant that identifies all reasonable, technically feasible alternative locations and/ or facilities that would be usable for the proposed personal wireless services to substantiate the need for a new tower.

A third-party consulting engineer, Evans Associates, is under contract with the City to review the analyses to determine if an applicant has sufficiently proved the need for a new tower. A copy of the consultant report for the proposed tower is attached and generally indicates that the requested 110-foot tall tower is needed at this location. The report indicates that this tower will be a "fill-in" site to bolster Cingular services in this portion of the west side. The applicant has provided information, confirmed by the consulting engineer, that the height of the tower is necessary to achieve the needed coverage area, as well as information that co-location of the proposed cellular equipment on nearby buildings or on another tower in the area was not possible. The consultant report indicates that there are no towers within a three-quarter mile radius to accommodate the proposed cellular phone array. The City's consultant also indicates that the co-location opportunities provided with the proposed tower will serve other carriers in the near term, though the viability of the co-location site at 90 feet was somewhat called into question due to "terrain and building attenuation." The Evans report also states that the proposed 110-foot tower will blend in well with its surroundings on the school site in large part due to the 13 athletic field light towers located elsewhere on the southern third of the site.

In general, the Planning Division believes that the conditional use standards can be met with the proposed wireless communications tower, which also satisfies the location-related requirements

included in the Zoning Ordinance. The telecommunications tower will be situated among 13 light towers of similar height located adjacent to two athletic fields on the southern portion of the 70.9-acre, which should serve to lessen the prominence of the proposed tower on the horizon. The base compound will be located approximately 260 feet north of Mineral Point Road, which will lessen its visibility from the street. Staff feels that the screening solutions proposed by the applicant for the compound are adequate.

### **RECOMMENDATION**

The Planning Division recommends that the Plan Commission find the conditional use standards are met for a proposed wireless communications (cellular) tower located at Madison Memorial High School, 201 S. Gammon Road, subject to input at the public hearing and the following conditions:

1. Comments from reviewing agencies.
2. That the plan set be revised per Planning Division approval to clarify the species of evergreen trees to be planted, with a minimum height at planting of six feet.



**Engineering Statement  
Prepared for the City of Madison  
Re:  
Proposed Cingular Wireless Tower Site #WI-2024  
201 South Gammon Road  
Madison, Wisconsin**

**July 18, 2007**

**Prepared by:**

**Evans Associates Consulting Engineers  
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- Figure 1 – Cingular Wireless Propagation Map without the Proposed Site
- Figure 2 – Cingular Wireless Propagation Map with the Proposed Site
- Figure 3 – Cingular Wireless Sites in Dane County
- Figure 4 – Proposed Antenna Structure Elevation Drawing



**Engineering Statement  
Prepared for the City of Madison**

**Re:  
Cingular Wireless Tower Site #WI-2024  
201 South Gammon Road  
Madison, Wisconsin**

**I. BACKGROUND**

This engineering report has been prepared by B. Benjamin Evans, P.E. of Evans Associates, Communications Consultants in Thiensville, Wisconsin, regarding a proposed Cingular Wireless (AT&T) cellular base station antenna structure to be built in the City of Madison, Wisconsin.

Evans Associates has been retained to evaluate the implementation parameters associated with a new 110-foot<sup>1</sup> monopole to be located on the James Madison Memorial High School property at 201 South Gammon Road in the City of Madison, Dane County. This structure will be similar in height to nearby stadium and athletic field light poles. Pursuant to our employment, this exhibit has been prepared.

The siting information provided to Evans Associates by Cingular Wireless (AT&T) has been used in evaluating the appropriate technical parameters in accordance with the criteria outlined in Section 28.04 of the City of Madison Code of Ordinances. The analysis and the conclusions contained herein are based upon information researched by or under the direction of B. Benjamin Evans, P.E., of Evans Associates, or have been submitted by the applicant. Information provided to Evans Associates by other parties is believed to be correct, and has been verified where feasible.

**II. ABSTRACT**

As the number of cellular phone users continues to increase, the incidence of emergency and safety of life communications will also increase, making high-penetration levels and connection availability mandatory on the cellular and PCS frequencies. In order to improve coverage and capacity as the traffic on adjacent sites approaches the maximum, some new construction is to be expected. In addition, E-911 cellular implementation also places an additional burden on the tower infrastructure. Federal regulations require that local communities treat all carriers identically with respect to permit requirements. The instant site is considered to be a “fill-in” site for the area around the intersection of Mineral Point and Gammon Roads. This is a dense retail and commercial area, with the high school and West Towne Mall contributing to extensive cell phone activity.

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<sup>1</sup> The proposed structure’s overall height would be 118 feet including the antennas and lightning rod.

Accordingly, the proposed site has been analyzed carefully from the standpoints of environmental compatibility and network necessity. The conclusions reached herein represent the most complete engineering evaluation we are able to perform. This document and the attached exhibits are true and accurate to the best knowledge and belief of Evans Associates.

### **III. SITE ANALYSIS**

The following paragraphs represent our analysis of the proposed base station site, which was conceived out of a need to relieve call congestion in this area of Madison.

#### **#1 Validation of RF Information**

According to the elevation diagram, the proposed site will utilize a panel style 6-element antenna array (6' tall and 1" wide) mounted at approximately the 110-foot level of a monopole tower, representing essentially omnidirectional coverage. The tower height proposed, 110 feet AGL, has been requested by Cingular in order to adequately serve the area. The pole will be strong enough to support two additional carriers, at 100' and 90' AGL.

The proposed site will meet FCC Radio Frequency Radiation (RFR) emission requirements with respect to the general population as long as no cellular or PCS antennas are installed below 55 feet of ground level. Accordingly, with the RF energy exposure standards utilized in the evaluations by this consultant, and as per previous concurring opinions from the Medical College of Wisconsin, it is concluded that there is no credible concern related to RFR exposure health risks with respect to the described site as long as the industry standard construction practices are followed.

The proposed antenna height of 110 feet is, in the opinion of this affiant, the minimum that would be functional at this location. As a matter of fact, it may be difficult to attract the third co-locator for this site at 90-foot level because of terrain and building attenuation.

Assuming no serious malfunction of either cellular transmitters or public safety radio receivers, interference to other RF services is not expected. In any case, all transmitters and receivers located at common sites should observe good engineering practice with respect to tower bonding and grounding.

#### **#2 Site Parameters**

The proposed 110-foot monopole is to be located on a leased parcel consisting of a 1,150 square foot portion of the James Madison High School property.

The monopole will be constructed so as to be able to support additional weight and wind load in the future; at least two other carriers would be accommodated on the tower and within the 1,150 square foot leased parcel. In Cingular Wireless' opinion, this structure represents the minimum height and





location that will achieve the required coverage objectives. As the herein analysis confirms, Evans Associates agrees with this determination.

The standards to be applied to the proposed site are those pertinent to a “fill-in” site, and must address such issues as 911 locator emergency telephone capability as well as the ability of the new tower to support co-location of as many present and future carriers as possible. Evans’ agrees with the determination that the site is required in order to provide network “fill-in” and to ensure “E-911” emergency-calling capability throughout the Cingular/AT&T network.

**#3 Conformance to Industry Standards**

A chain link fence will surround the tower for security reasons.

The proposal has received a Determination of No Hazard on May 17, 2007 from the Federal Aviation Administration<sup>2</sup>, meaning that the proposed structure is not deemed to pose a hazard to aircraft. However, it would be good practice to contact the Wisconsin Department of Transportation Bureau of Aeronautics to confirm that notification to that agency is not required. The FAA has determined that the proposed structure doesn’t require marking and lighting.

**#4 Proposed Height Verification**

As per the above discussion, the tower height is dictated by the antenna height necessary for reliable coverage, which is influenced by topography and “look angle.” The Cingular Wireless proposal appears to be reasonable at its proposed height, especially considering that co-locators will have to place their antennas farther down the tower. To make the tower shorter would invite additional tower proliferation, which is not recommended.

<sup>2</sup> FAA Airspace Study No. 2007-AGL-3825-OE

### **#5 Response to Nearby Residents' Questions**

None provided by Cingular Wireless.

### **#6 Validation of Adequate Support Structure**

Cingular Wireless has provided engineering design drawings stamped by a Licensed Architect. These plans should be reviewed by a licensed structural engineer to verify that the latest EIA/TIA standards are being observed and that the tower will support the antennas of the two possible future wireless co-locators.

### **#7 Visual Impact Assessment**

The Cingular antenna structure will be situated among or near 13 light poles on the high school athletic field, ranging in height from 75 to 110 feet. Thus, the Cingular installation will blend in well with the surroundings, as can be seen in the simulation photos provided by the applicant. It is not proposed to install obstruction lighting on the tower, nor paint it with bands of aviation orange and white; thus, visual impact will be minimal<sup>3</sup>. The tower and all appurtenances could be left with a galvanized coating or painted a similar color to blend in with the sky.

### **#8 Network Propagation Analysis**

Cingular Wireless' wireless network is in the fill-in phase in the city of Madison at the present time. A cellular network must be put together like pieces of a puzzle, with each site strategically located so that a cell phone subscriber can use his or her phone anywhere in the community without a "system busy" signal and without having the call dropped due to a lack of signal from the servicing cell site.

#### **Propagation Study**

A propagation study conducted by Cingular Wireless, and verified by this consultant, shows the current and proposed coverage of the City of Madison. Figure 1, attached, shows the existing Cingular Wireless coverage in the area, while Figure 2 is a map of the Cingular Wireless coverage after the proposed site is activated.

There would be a substantial area that will be upgraded from "fair coverage" to "excellent coverage" as a result of the new site (see Figures 1 and 2). This site would assure continuous coverage in and around the local area and enhance service to a large number of area businesses by increasing call capacity in the area.

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<sup>3</sup> Confirmation should be obtained from WisDOT that aviation obstruction lighting or marking is not required.

The proposed site is quite well positioned between the adjacent Cingular Wireless sites. The propagation map (Figure 2) shows the adjoining sites that comprise the existing Cingular Wireless network.

### **#9 Alternative Sites**

The siting of the new Cingular Wireless base station is fairly critical, and the search radius is small (less than 0.3 mile). Additionally, the search for a new construction site is further aggravated by the scarcity of vacant parcels of sufficient size to build a new base station tower. The applicant has stated that existing structures were evaluated in the area to place the proposed antennas, included the Famous Footwear building and the Bank building on Gammon Road. The applicant was turned down by the owners of both properties. According to the applicant, there are no existing available structures that would supply essentially the same functionality as the proposed site; indeed, this consultant has confirmed that there are no federally-registered towers within a three-quarter mile radius of the site proposed by Cingular<sup>4</sup>.

It is the opinion of Evans Associates that Cingular has come up with a proposal that is the most practicable and the least visually obtrusive. The site appears to strike a good balance between mobile phone service network integrity and impact to the surroundings.

### **#10 Co-location Capabilities**

According to Cingular Wireless, the proposed tower has been designed for two additional carriers for a total of three carriers. If needed, it is the intent of Cingular Wireless to allow two future PCS or cellular antenna arrays to be added. This "modularity" concept is a good method of cost-effectively addressing co-location, thereby reducing tower proliferation.

Based upon the experience of this consultant, the allowance for two additional carriers on the tower should manage the immediate needs of the major carriers in the city of Madison. It is expected that, by the time some of the more specialized carriers require towers in the same area (such as LAN and Internet providers), multiple-use (multiplex) antennas will be generally available, which should free up some tower aperture space.

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<sup>4</sup> The nearest federally-registered tower is a 48-foot antenna-supporting structure, owned by Entercom Communications, at 7601 Ganser Way in Madison. This site is 0.77 mile west of the proposed high school site. At 48 feet, this structure would be too low to be of practical use for Cingular.

#### IV. RECOMMENDATIONS

This consultant recommends the approval of the proposed antenna structure at the requested height above ground of 110 feet (plus 8 feet of appurtenances). Since the visual impact of the relatively short tower is in keeping with the existing light poles on the high school athletic field, which are of similar height, it is unlikely that a site could be found that would have less visual impact and would be more congruent with its surroundings.

With the adoption of the suggestions contained herein, it is the opinion of this consultant that the proposed tower will accommodate the communication needs of residents and businesses while protecting the public health, safety and general welfare, with respect to those items for which Evans Associates is expert. The proposal will also minimize proliferation in the future.

The following recommendations are made with respect to the Cingular Wireless tower site:

1. A licensed Professional Engineer should approve the finished tower, and certify that the tower can support at least a total of three antenna arrays.
2. Cingular Wireless should submit to the city of Madison the Determination of No Hazard from the FAA for the total tower height of 118 feet AGL (110-foot tower plus 8 feet for antennas and lightning rod), if it has not already been done. Also, contact with Wisconsin DOT should be made prior to construction, if it has not already been done.
3. Cingular Wireless should utilize a galvanized or painted finish on the tower to minimize visual impact ("stealth" finish), if permitted by WisDOT.

It is therefore concluded by the affiant that the application for Conditional Use Permit conforms to industry standards, that the height proposed is the minimum that would be reasonably functional, and that the alternatives have been fairly evaluated. The need for this site has been demonstrated.

Respectfully submitted,

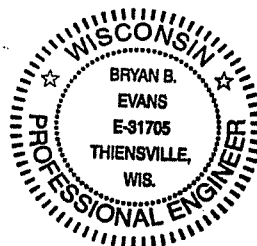
A handwritten signature in black ink, appearing to read "Bryan B. Evans".

B. Benjamin Evans, P.E.

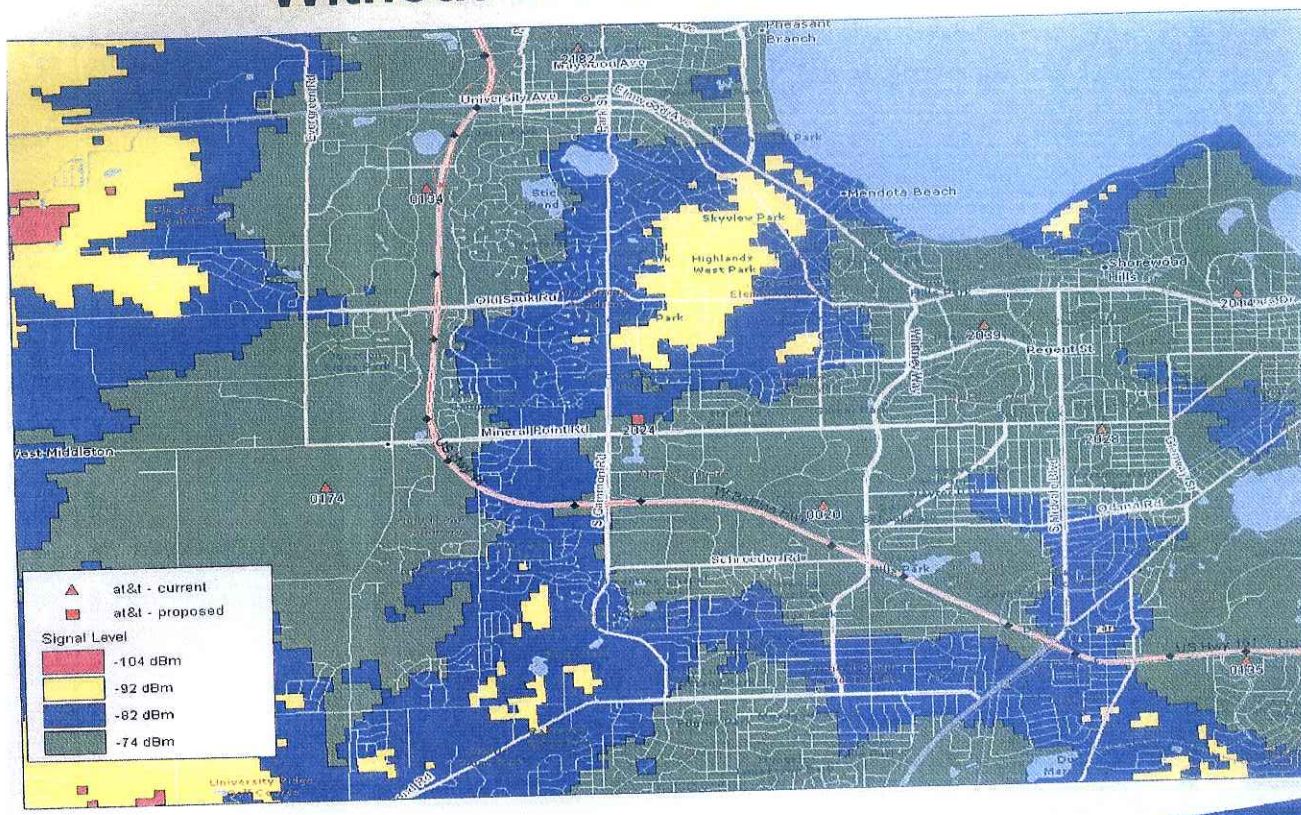
Evans Associates

July 18, 2007

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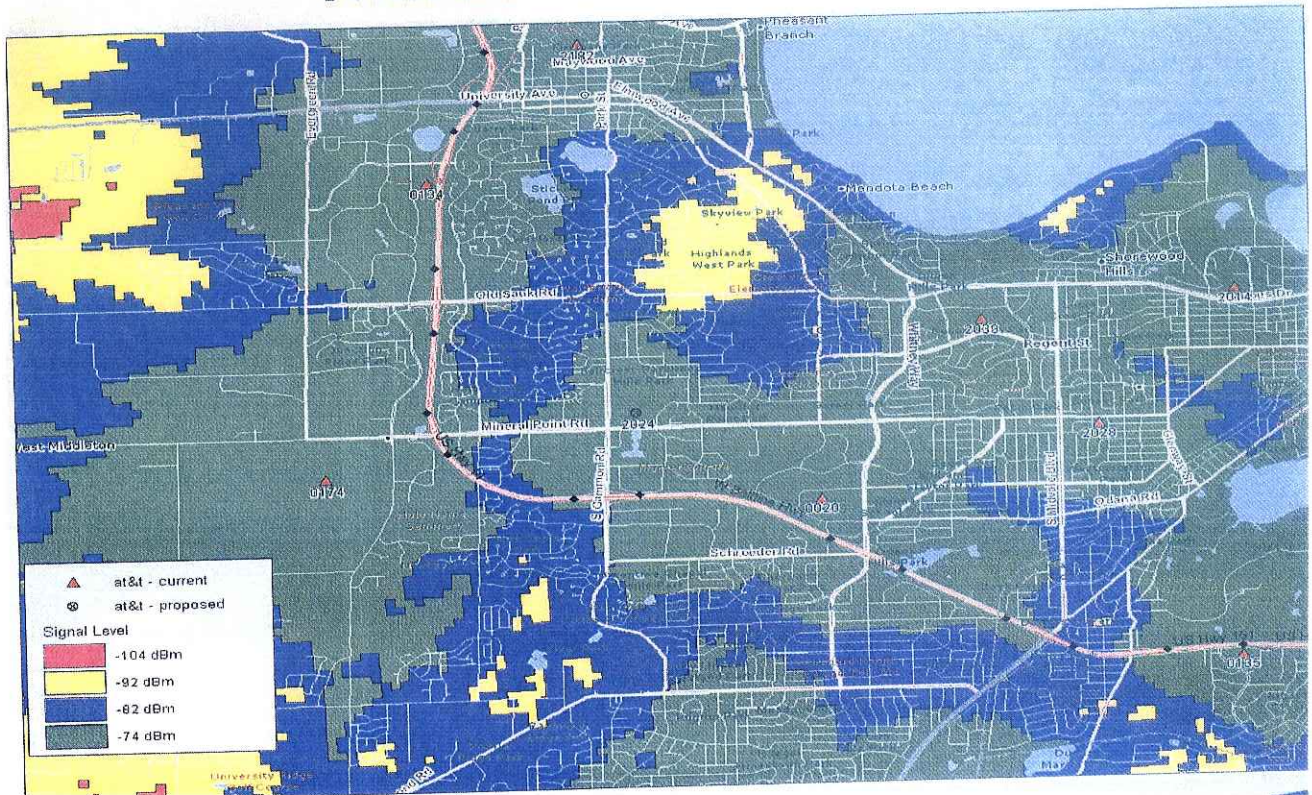


## Without 201 S. Gammon Rd.



**Figure 1 – Network Coverage Without Proposed Site**

**With 201 S. Gammon Rd.**



**Figure 2 – Network Coverage With Proposed Site**

### at&t sites in Dane County

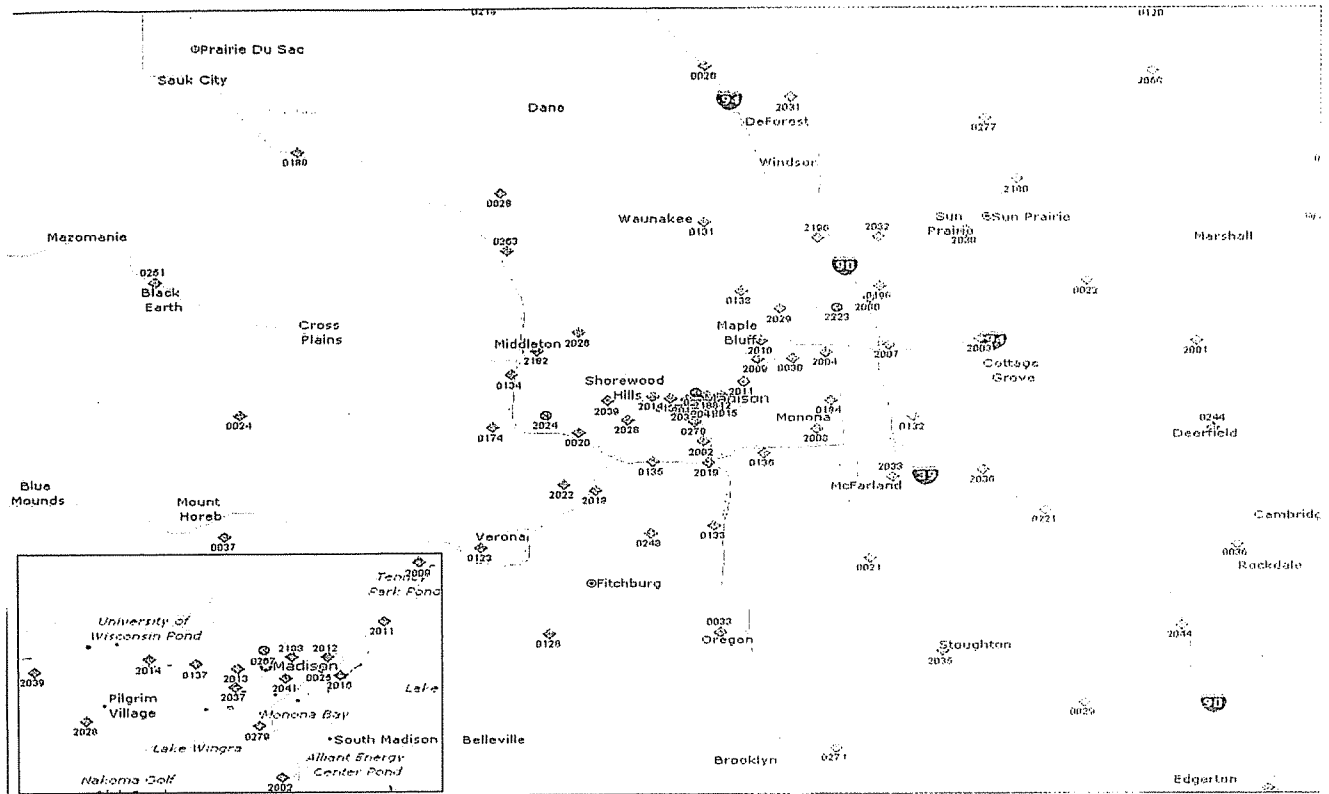


Figure 3 – AT&T Cingular Sites in Dane County

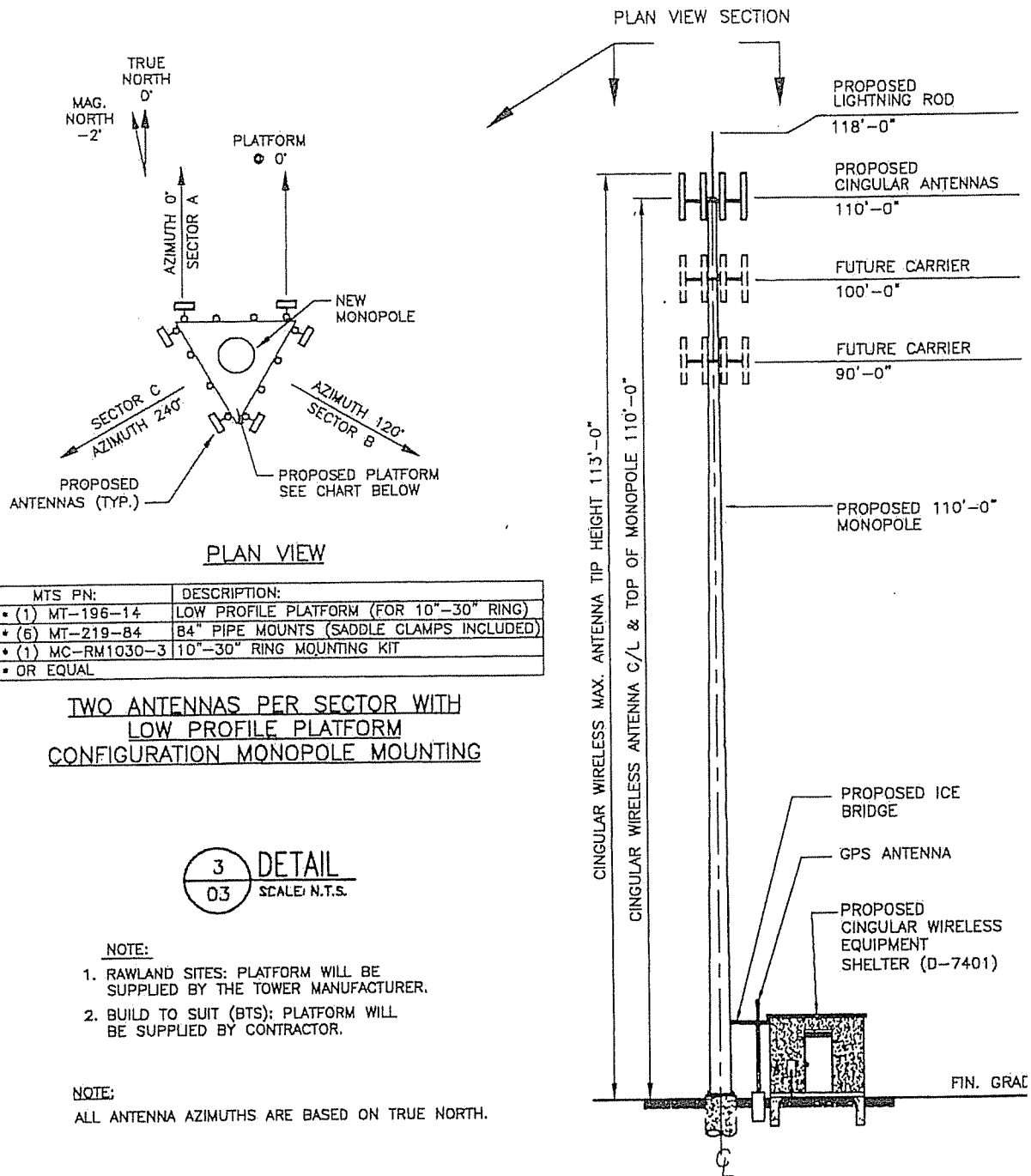


Figure 4 – Antenna Structure Elevation Drawing





Department of Public Works  
City Engineering Division

608 266 4751

Larry D. Nelson, P.E.  
City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
608 264 9275 FAX  
1 866 704 2315 Textnet

**Deputy City Engineer**  
Robert F. Phillips, P.E.

**Principal Engineers**  
Michael R. Dailey, P.E.  
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John S. Fahrney, P.E.  
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**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Supervisor**  
Kathleen M. Cryan

**Hydrogeologist**  
Joseph L. DeMorett, P.G.

**GIS Manager**  
David A. Davis, R.L.S.

DATE: July 23, 2007

TO: Plan Commission

FROM: Larry D. Nelson, P.E., City Engineer

SUBJECT: 201 South Gammon Road Conditional Use

The City Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. Revise plans to show existing public storm sewer and easement within the school property and within Mineral Point Road. Any conflicts must be addressed prior to approval.
2. Approved address for the cell tower is 6824 Mineral Point Rd.
3. Provide City Engineering copy of lease documents, including detail as to whom is responsible for storm water utility bills for the pervious and impervious areas of the leased site. Transmit this information to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) or call 266-5952.

**GENERAL OR STANDARD REVIEW COMMENTS**

In addition, we offer the following General or Standard Review Comments:

**Engineering Division Review of Planned Community Developments, Planned Unit Developments and Conditional Use Applications.**

Name: 201 S. Gammon Road Conditional Use

**General**

- 1.1 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.
- 1.2 The site plan shall identify lot and block numbers of recorded Certified Survey Map or Plat.
- 1.3 The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
- 1.4 The site plan shall identify the difference between existing and proposed impervious areas.

- 1.5 The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.
- 1.6 Coordinate all necessary new interior addresses associated with this proposed development with City Engineering Program Specialist Lori Zenchenko [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) or (608) 266-5952
- 1.7 The site plan shall include a full and complete legal description of the site or property being subjected to this application.
- 1.8 The Developer is required to pay Impact Fees for the \_\_\_\_\_ Impact Fee District for Lot(s) \_\_\_\_\_ of the \_\_\_\_\_ Plat/CSM. The current rate is \$ \_\_\_\_\_ /1000SF for a total of \$ \_\_\_\_\_. The Developer shall select one of the following two options for payment of these fees:

- 1) Impact Fees shall be paid in full prior to Engineering sign-off of the plat/csm.
- 2) The Developer has elected to defer the payments until such time as the building permits are applied for, in which case the owner(s) shall have fourteen (14) days after receiving the invoices to pay the outstanding impact fees. The following shall be required prior to plat sign off;
  - a) The Developer shall supply an Excel spreadsheet with lot numbers, lot areas, and number of dwelling units per lot. The Developer shall supply a CADD file of the proposed FINAL plat, in a format compatible with Microstation J. This information shall be required to calculate the Impact Fees, which will then be recorded at the Register of Deeds against each lot in the subdivision..
  - b) All information shall transmitted to Janet Dailey by e-mail at [Jdailey@cityofmadison.com](mailto:Jdailey@cityofmadison.com), or on a CD to:
 

Janet Dailey  
City of Madison Engineering Division  
210 Martin Luther King Jr. Blvd  
Room 115  
Madison, WI 53703
  - c) A minimum of three (3) weeks shall be required for staff to calculate the Impact Fees and record the documents prior to plat sign-off.

The Developer shall put the following note on the face of the plat:

**ALL THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO IMPACT FEES THAT ARE DUE AND PAYABLE WITHIN FOURTEEN DAYS OF THE ISSUANCE OF BUILDING PERMIT(S).**

**Right of Way / Easements**

- 2.1 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.2 The Applicant shall Dedicate a \_\_\_\_\_ foot wide strip of Right of Way along \_\_\_\_\_.
- 2.3 The Applicant shall Dedicate a Permanent Limited Easement for grading and sloping \_\_\_\_\_ feet wide along \_\_\_\_\_.
- 2.4 The City Engineer has reviewed the need for pedestrian and bicycle connections through the development and finds that no connections are required.
- 2.5 The Applicant shall Dedicate a Permanent Limited Easement for a pedestrian / bicycle easement \_\_\_\_\_ feet wide from \_\_\_\_\_ to \_\_\_\_\_.
- 2.6 The Developer shall provide a private easement for public pedestrian and bicycle use through the property running from \_\_\_\_\_ to \_\_\_\_\_.
- 2.7 The developer shall be responsible for the ongoing construction and maintenance of a path within the easement. The maintenance responsibilities shall include, but not be limited to, paving, repaving, repairing, marking and plowing. The developer shall work with the City of Madison Real Estate Staff to administer this easement. Applicable fees shall apply.
- 2.8 The Public Sanitary Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
  - a. The property owner reserves the right to use and occupy the Public Sanitary Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sanitary sewer facilities.
  - b. No above-ground improvements shall be located in the Public Sanitary Sewer Easement Area(s) by the City

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- or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public sanitary sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
- c. Plantings and landscaping within the Public Sanitary Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
- d. The property owner shall not change the grade of the Public Sanitary Sewer Easement Area(s) without the prior written approval of the City's Engineering Division.
- e. The Public Sanitary Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

- 2.9 The Public Sidewalk Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
  - a. The property owner reserves the right to use and occupy the Public Sidewalk Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements.
  - b. No above-ground improvements will be allowed in the Public Sidewalk Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Sidewalk Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Sidewalk Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Sidewalk Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.10 The Public Storm Sewer Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
  - a. The property owner reserves the right to use and occupy the Public Storm Sewer Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public storm sewer facilities.
  - b. No above-ground improvements shall be located in the Public Storm Sewer Easement Area(s) by the City or the property owner, with the exception that grates, sewer access structure (SAS) covers, and other access points to the public storm sewer facilities shall be permitted at grade level. (Optional: and with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Storm Sewer Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Storm Sewer Easement Area(s) without the prior written approval of the City's Engineering Division. The Public Storm Sewer Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 2.11 The Public Water Main Easement(s) dedicated to the City of Madison ("City") on the face of this Certified Survey Map or Subdivision Plat is/are subject to the following conditions:
  - a. The property owner reserves the right to use and occupy the Public Water Main Easement Area(s) in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the installation, operation, maintenance, repair, replacement and/or modification of the public water main facilities.
  - b. No above-ground improvements will be allowed in the Public Water Main Easement Area(s) by the property owner. (Optional: with the exception that pavement and/or concrete for driveway purposes shall be permitted.)
  - c. Plantings and landscaping within the Public Water Main Easement Area(s) shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the property owner.
  - d. The property owner shall not change the grade of the Public Water Main Easement Area(s) without the prior written approval of the City's Engineering Division.
  - e. The Public Water Main Easement(s) may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.

**Streets and Sidewalks**

- 3.1 The Applicant shall execute a waiver of notice and hearing on the assessments for the improvement of [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.2 **Value of sidewalk installation over \$5000.** The Applicant shall Construct Sidewalk to a plan approved by the City Engineer along \_\_\_\_\_.
- 3.3 **Value of sidewalk installation under \$5000.** The Applicant shall install public sidewalk along \_\_\_\_\_. The Applicant shall obtain a Street Excavation Permit for the sidewalk work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. All work must be completed within six months or the succeeding June 1, whichever is later. This permit application is

- 3.4 The Applicant shall execute a waiver of their right to notice and hearings on the assessments for the installation of sidewalk along [roadway] \_\_\_\_\_ in accordance with Section 66.0703(7)(b) Wisconsin Statutes and Section 4.09 of the MGO.
- 3.5 The Applicant shall grade the property line along \_\_\_\_ to a grade established by the City Engineer. The grading shall be suitable to allow the installation of sidewalk in the future without the need to grade beyond the property line. The Applicant shall obtain a Street Excavation permit prior to the City Engineer signing off on this development. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.6 The Applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.
- 3.7 **Value of the restoration work less than \$5,000. When computing the value, do not include a cost for driveways. Do not include the restoration required to facilitate a utility lateral installation.** The Applicant's project requires the minor restoration of the street and sidewalk. The Applicant shall obtain a Street Excavation Permit for the street restoration work, which is available from the City Engineering Division. The applicant shall pay all fees associated with the permit including inspection fees. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 3.8 The Applicant shall make improvements to \_\_\_\_\_ in order to facilitate ingress and egress to the development. The improvement shall include a (Describe what the work involves or strike this part of the comment.) \_\_\_\_\_
- 3.9 The Applicant shall make improvements to \_\_\_\_\_. The improvements shall consist of \_\_\_\_\_
- 3.10 The approval of this Conditional Use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
- 3.11 The Applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The Applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The Applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
- 3.12 The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
- 3.13 The Applicant shall obtain a privilege in streets agreement for any encroachments inside the public right of way. The approval of this development does not constitute or guarantee approval of the encroachments.
- 3.14 The Applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
- 3.15 The Applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the city. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds is unacceptable shall be removed and replaced.
- 3.16 All work in the public right-of-way shall be performed by a City licensed contractor.
- 3.17 Installation of "Private" street signage in accordance with 10.34 MGO is required.

#### Storm Water Management

- 4.1 The site plans shall be revised to show the location of all rain gutter down spout discharges.
- 4.2 Storm sewer to serve this development has been designed and constructed. The site plans shall be revised to identify the location of this storm sewer and to show connection of an internal drainage system to the existing public storm sewer.
- 4.3 The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
- 4.4 The applicant shall show storm water "overflow" paths that will safely route runoff when the storm sewer is at capacity.

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- 4.5 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.
- 4.6 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.
- 4.7 This development includes multiple building permits within a single lot. The City Engineer and/or the Director of the Inspection Unit may require individual control plans and measures for each building.
- 4.8 If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane Co Register of Deeds.
- 4.9 Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to:
  - Detain the 2 & 10-year storm events.
  - Detain the 2, 10, & 100-year storm events.
  - Control 40% TSS (20 micron particle).
  - Control 80% TSS (5 micron particle).
  - Provide infiltration in accordance with NR-151.
  - Provide substantial thermal control.
  - Provide oil & grease control from the first 1/2" of runoff from parking areas.

Stormwater management plans shall be submitted and approved by City Engineering prior to signoff.

- 4.10 The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.
- 4.11 A portion of this project comes under the jurisdiction of the US Army Corp of Engineers and WDNR for wetland or flood plain issues. A permit for those matters shall be required prior to construction on any of the lots currently within the jurisdictional flood plain.
- 4.12 The Applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). 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 and contain the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas
  - c) Internal Site Parking Areas
  - d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e) Right-of-Way lines (public and private)
  - f) Lot lines
  - g) Lot numbers
  - h) Lot/Plat dimensions
  - i) Street names

NOTE: Email file transmissions preferred [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) . Include the site address in this transmittal.

- 4.13 NR-151 of the Wisconsin Administrative Code will be effective on October 1, 2004. Future phases of this project shall comply with NR 151 in effect when work commences. Specifically, any phases not covered by a Notice of Intent (NOI) received from the WDNR under NR-216 prior to October 1, 2004 shall be responsible for compliance with all requirements of NR-151 Subchapter III. As most of the requirements of NR-151 are currently implemented in Chapter 37 of the Madison General Ordinances, the most significant additional requirement shall be that of infiltration.

NR-151 requires infiltration in accord with the following criteria. For the type of development, the site shall comply with one of the three (3) options provided below:

Residential developments shall infiltrate 90% of the predevelopment infiltration amount, 25% of the runoff from the 2-year post development storm or dedicated a maximum of 1% of the site area to active infiltration practices.

Commercial development shall infiltrate 60% of the predevelopment infiltration amount, 10% of the runoff from the 2-year post development storm or dedicate a maximum of 2% of the site area to active infiltration practices.

- 4.14 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, and shall have a scale bar on the plan set.

PDF submittals shall contain the following information:

- a) Building footprints.
- b) Internal walkway areas.
- c) Internal site parking areas.
- d) Lot lines and right-of-way lines.
- e) Street names.
- f) Stormwater Management Facilities.
- g) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

- 4.15 The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:

- a) SLAMM DAT files.
- b) RECARGA files.
- c) TR-55/HYDROCAD/Etc...
- d) 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.

- 4.16 The area adjacent to this proposed development has a known flooding risk. All entrances shall be 2-feet above the adjacent sidewalk elevation or 1-foot above the 100-year regional flood elevation (whichever is greater). This includes garage entrances.

#### Utilities General

- 5.1 The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.2 The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 5.3 All proposed and existing utilities including gas, electric, phone, steam, chilled water, etc shall be shown on the plan.
- 5.4 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>.
- 5.5 The site plans shall be revised to show the location of existing utilities, including depth, type, and size in the adjacent right-of-way.
- 5.6 The developer shall provide information on how the Department of Commerce's requirements regarding treatment of storm water runoff, from parking structures, shall be satisfied prior to discharge to the public sewer system. Additionally, information shall be provided on which system (storm or sanitary) the pipe shall be connected to.

#### Sanitary Sewer

- 6.1 Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1). \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2). \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
- 6.2 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.
- 6.3 Each unit of a duplex building shall be served by a separate and independent sanitary sewer lateral.
- 6.4 The site plan shall be revised 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.



## Traffic Engineering and Parking Divisions

David C. Dryer, P.E., City Traffic Engineer and Parking Manager

Suite 100  
215 Martin Luther King, Jr. Boulevard  
P.O. Box 2986  
Madison, Wisconsin 53701-2986  
PH 608 266 4761  
TTY 866-704-2315  
FAX 608 267 1158

July 26, 2007

TO: Plan Commission  
FROM: David C. Dryer, P.E., City Traffic Engineer and Parking Manager  
SUBJECT: **201 South Gammon Road – Conditional Use – Cellular Tower**

The City Traffic Engineering Division has reviewed the subject development and has the following comments.

**MAJOR OR NON-STANDARD REVIEW COMMENTS** (Comments which are special to the project and/or may require additional work beyond a standard, more routine project.)

1. None

### PEDESTRIAN AND BICYCLE TRANSPORTATION REVIEW COMMENTS

2. None

### GENERAL OR STANDARD REVIEW COMMENTS

In addition, we offer the following General or Standard Review Comments:

3. None

Please contact John Leach, City Traffic Engineering at 267-8755 if you have questions regarding the above items:

Contact Person: Bryan Lzuka  
Fax: 847-991-5707  
Email: bryan.lazuka@sacw.com

DCD: DJM: dm