



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

Madison Municipal Building, Suite 017

215 Martin Luther King Jr. Boulevard

Madison, Wisconsin 53703

Phone: (608) 266-4635

www.cityofmadison.com

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

April 17, 2024

Scott Anderson
Snyder & Associates
5010 Voges Road
Madison, Wisconsin 53718

RE: Consideration of a request to rezone property located at 5001-5105 N Sherman Avenue and 1904 Wheeler Road from A (Agricultural District) and SR-C1 (Suburban Residential-Consistent 1 District) to PR (Parks and Recreation District), and consideration of a conditional use in the Parks and Recreation (PR) District for outdoor recreation; and consideration of a conditional use for non-residential development immediately adjacent to the boundary of a City-owned public park, all to allow reconstruction and expansion of a golf driving range for TPC Wisconsin adjacent to Cherokee Marsh Conservation Park-North Unit (Cherokee Park, Inc.). (LNDUSE-2023-00028; ID 80830 and 77592)

Dear Scott;

On April 16, 2024, the Common Council approved your request to rezone 5001-5105 N Sherman Avenue and 1904 Wheeler Road from A and SR-C1 to PR. On April 8, 2024, the Plan Commission found the standards met and **approved** your conditional use requests. Prior to issuance of building permits for your project, the conditions of approval in the following sections shall be satisfied:

Please contact Brenda Stanley of the City Engineering Division at (608) 261-9127 if you have any questions regarding the following fourteen (14) items:

1. A Storm Water Management Report and Storm Water Management Permit is required for this project.
2. Proposed lateral plan appears to be in conflict vertically with the existing 48" diameter MMSD sewer. Applicant shall provide evidence that MMSD has reviewed the proposed sanitary sewer lateral connection as a condition for plan approval.
3. Obtain a Street Terrace Permit for the proposed work (installation of the driveway apron, landscaping, etc.). The permit application is available on the City Engineering Division website.
4. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to City Engineering Division 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.

5. The proposed sewer connection to the MMSD sewer access structure shall conform to all MMSD connection specification criteria. The contractor is responsible for taking out the MMSD connection permit as well as the permit connection fee if applicable. Add the following note to the plans: "The Contractor shall notify Ray Schneider (608)347- 3628, rays@madsewer.org, five (5) days prior to making the connection to the MMSD manhole to arrange for inspection of the connection."
6. An Erosion Control Permit is required for this project.
7. A Storm Water Maintenance Agreement (SWMA) is required for this project..
8. This site appears to disturb over one (1) acre of land and requires a permit from the Wisconsin Department of Natural Resources (WDNR) for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR-216 and NR-151; however, a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue its permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at (608) 273-5612 of the WDNR to discuss this requirement. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or the Capital Area Regional Planning Commission (CARPC) is required for this project to proceed.
9. A portion of this project may come under the jurisdiction of the US Army Corp of Engineers (USACOE) and WDNR for wetland, floodplain, or navigable waterway issues. A permit for these items may be required prior to construction. Contact the WDNR and USACOE for a jurisdictional determination. Provide a digital copy of the wetland delineation. Wetland delineations shall be less than five (5) years old.
10. This project will disturb 20,000 square feet or more of land area and require an Erosion Control Plan. Please submit an 11- x 17-inch 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.
11. Demonstrate compliance with MGO Sections 37.07 and 37.08 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.
12. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by MGO Chapter 37.
13. 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).
14. 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 Storm Water Management Plan & Report shall include compliance with the following:

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

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.

Detain the 2-, 5-, 10-, 100-, and 200-year storm events, matching post development rates to predevelopment rates and using the design storms identified in MGO Chapter 37.

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

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

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

Please contact Julius Smith of the City Engineering–Mapping Section at (608) 264-9276 if you have any questions regarding the following ten (10) items:

15. Show and label the existing 30-foot wide sanitary sewer easements per Document No. 1275734, 1275735 (MMSD) and also those granted on Certified Survey Map 14762 that exist within this proposed site development, most specifically needed is the North-South portion over the westerly side of the site near N. Sherman Avenue.
16. Label the existing 30-foot wide Sanitary Sewer Easement per Document No. 1275733 (MMSD) that exists over the current St. Peter's lands.
17. The site plan indicates a private water lateral line encroaching/crossing into the N Sherman Avenue right of way. An amendment to the existing encroachment agreement per Document No. 5323045 is in process as Real Estate Project No. 11201. Note the proposed new encroachment area within N Sherman Avenue on the plans. The amended agreement shall be recorded prior to final site plan sign-off.
18. Upon approval of the parking lots, private irrigation lines, private storm sewer and cart paths/parking lying within the City of Madison Easement for Sanitary Sewer per CSM 14762 - Document No. 5400337, a Consent to Occupy Easement document shall be drafted and recorded by City of Madison Office of Real Estate Services defining responsibilities and requirements in conjunction with the proposed improvements. Coordinate with Jeff Quamme at jrquamme@cityofmadison.com. Only access drives that cross the easements are permitted within the easements per current easement text.
19. Provide the copy of the final ground lease from the City of Madison for the leased lands area prior to final site plan sign off (if applicable).

20. Provide a copy of the lease of lands from St. Peter's Catholic Church prior to final sign-off.
21. Show and label the entire length of the proposed private irrigation line through this entire site.
22. All sheets of the Civil plans shall show the proposed leased land from the parish that is part of this proposed development plan.
23. Revised plans indicate that the range building will remain and will not be moved to the south side of the site. The proposed new Golf Academy building will use the address of 5103 N Sherman Avenue. The existing range building will now use the address of 5123 N Sherman Avenue. 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. 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.
24. 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 Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following nine (9) items:

25. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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.
26. 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.
27. 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.
28. All parking facility design shall conform to the standards in MGO Section 10.08(6).
29. All bicycle parking adjacent pedestrian walkways shall have a two (2)-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

30. 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 the Traffic Engineering Division.
31. "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.
32. The applicant shall show the dimensions for the proposed Class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
33. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

Please contact Jacob Moskowitz, Assistant Zoning Administrator, at (608) 266-4560 if you have questions about the following two (2) items:

34. 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 10,000 square feet in size must be prepared by a registered landscape architect.
35. Revise the project plans to provide a complete inventory of vegetation in any area proposed for development within 100 feet of the park boundary and any proposed cutting of trees or removal of vegetation within 100 feet of the park boundary. Removal of vegetation may be limited within thirty-five (35) feet of the park boundary. Grading and drainage within thirty-five (35) feet of the park shall be reviewed for its effect on drainage patterns and vegetation within the park.

Please contact Bill Sullivan of the Madison Fire Department at (608) 261-9658 if you have any questions regarding the following two (2) items:

36. Provide a sidewalk from the second exit from the Learning Academy out to the public way or provide a plan to ensure snow removal from the grass.
37. Provide an updated fire access plan.

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

38. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days' notice between the application submittal and the requested installation or inspection appointment. 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 Avenue. 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. A Water Meter Application Form will subsequently be required to size and obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have

questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact my office at (608) 261-9632 if you have questions about the following four (4) items:

39. Revise the lighting plan for final approval by the Director of the Planning Division prior to issuance of permits to include an elevation/ profile of the proposed 70-foot pole ('P1') and which includes the location and type of lighting fixtures to be installed. The final plan shall include a single aggregate lighting summary showing the footcandles at all property lines at full operation, including the eastern property line adjacent to Cherokee Marsh Conservation Park. All lighting shall conform with the requirements for outdoor lighting in MGO Section 29.36. Light trespass onto the adjacent park property shall be avoided.
40. The hours of operation for the driving range shall be 7:00 AM to 9:00 PM seven days a week from April 1 to November 30 and 8:00 AM to 8:00 PM from December 1 to March 31 consistent with the letter of intent. Lighting of the driving range shall end no later than 30 minutes after the closing times above. In the future, the Director of the Planning Division may consider a minor alteration to the conditional use to further modify the hours of operation following a recommendation by the district alder.
41. The final plans shall show the wetlands as depicted in the 2023 delineation and provide a 75-foot wetland setback for those wetlands. Consistent with the conditions outlined in CARPC Resolution 2008-15, the buffer/ setbacks shall be no-mow and fertilizer/pesticide-free to prevent discharge of nutrients into Cherokee Marsh.
42. The final plans shall show the stall layout and dimensions for the existing parking lot.

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

A letter containing the conditions of approval for the related Certified Survey Map for the project will be sent separately.

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

1. The applicant shall resubmit a PDF copy of the plan set 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.). 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.
2. 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.

3. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
4. 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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the Plan Commission and the conditional use standards. This approval shall become null and void two (2) years 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 6 months of the issuance of said building permit. Where the plans have not been altered from the Plan Commission's approval, and the conditional use has expired, the Director of Planning and Community and Economic Development may, after consultation with the Alderperson of the District, approve an extension for up to one (1) year from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at (608) 261-9632 or tparks@cityofmadison.com.

Sincerely,



Timothy M. Parks
Planner

cc: Brenda Stanley, City Engineering Division
Julius Smith, City Engineering Division
Sean Malloy, Traffic Engineering Division
Jacob Moskowitz, Asst. Zoning Administrator
Bill Sullivan, Madison Fire Department
Jeff Belshaw, Madison Water Utility

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

LNDUSE-2023-00028			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (T. Parks)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☒	Urban Design Commission
☒	Traffic Engineering	☒	Recycling Coordinator
☒	Fire Department	☒	Other: Forestry Section
☒	Water Utility	☐	Other: