



**Project Address:** 9025 Mid Town Road  
**Application Type:** Zoning Map Amendment, Demolition Permit and Conditional Use  
**Legistar File ID #** [41182](#) and [41013](#)  
**Prepared By:** Timothy M. Parks, Planning Division  
 Report includes comments from other City agencies, as noted.

**Summary**

**Applicant:** John Scott, LSCOTT Enterprises, LLC; 320 Pine Way; Oregon.

**Property Owner:** Stanley & Diane Skupien; 9025 Mid Town Road; Madison.

**Requested Actions:** Approval of a request to rezone property located at 9025 Mid Town Road from A (Agricultural District) to SR-C1 (Suburban Residential–Consistent 1 District) and approval of a demolition permit and conditional uses to allow a single-family residence to be demolished and a daycare center to be constructed.

**Proposal Summary:** The applicant wishes to demolish a single-family residence to allow construction of a two-level, 20,000 square-foot daycare center with a proposed capacity of 214 children. The Zoning Administrator has determined that the 51 auto parking stalls proposed exceeds the maximum amount allowed without conditional use approval. The applicant indicates that construction of the project will commence as soon as all regulatory approvals have been granted, with completion anticipated by the end of 2016.

**Applicable Regulations & Standards** Section 28.182 of the Zoning Code provides the process for zoning map amendments. Table 28C-1 in Section 28.032(1) of the Zoning Code identifies daycare centers as a conditional use in all residential zoning districts subject to supplemental regulations in Section 28.151. Section 28.141(6)(b)4 requires conditional use approval for surface parking exceeding the maximum by more than 20 parking spaces that is also more than 10% of the maximum parking requirement. Section 28.183 provides the process and standards for the approval of conditional use permits. Section 28.185 provides the process and standards for the approval of demolition and removal permits.

**Review Required By:** Plan Commission and Common Council.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022–00218, rezoning property located at 9025 Mid Town Road from A to SR-C1, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional uses to allow a single-family residence to be demolished and a daycare center to be constructed subject to input at the public hearing, and the conditions from reviewing agencies beginning on page 7 of this report.

**Background Information**

**Parcel Location:** An approximately 2.1-acre parcel located on the south side of Mid Town Road, approximately 500 feet east of the intersection of Hawks Ridge Drive/ Hawks Landing Circle; Aldermanic District 1 (Harrington-McKinney); Madison Metropolitan School District. The site is also approximately a half-mile west of S. Pleasant View Road (CTH M).

**Existing Conditions and Land Use:** The property is developed with a one-story single-family residence containing 3 bedrooms and an attached three-car basement garage, a detached two-car garage located along the eastern property line, and 2 sheds. The southwestern corner of the property abuts Silverstone Lane. The site is currently zoned A (Agricultural District).

**Surrounding Land Uses and Zoning:**

**North:** Hawks Landing Apartments, zoned PD;

**South:** University Ridge Golf Course, zoned A (Agricultural District);

**West:** Existing and future single-family residences in the Hawks Ridge Estates and Aspen Grove subdivisions, zoned SR-C1 (Suburban Residential–Consistent 1 District) and SR-V2 (Suburban Residential–Varied 2 District); single-family residence along Mid Town Road, zoned A;

**East:** Single-family residence and University Ridge Golf Course, zoned A.

**Adopted Land Use Plans:** The Comprehensive Plan recommends the subject site and properties located along the south side of Mid Town Road between University Ridge and Hawks Ridge Drive for Low-Density Residential uses. University Ridge Golf Course is recommended for Park and Open Space.

The Mid Town Neighborhood Development Plan (2010 amendment) recommends the subject site, adjacent residence to the east, and residences along the south side of Silverstone Lane for low-density residential uses (4-8 units per acre), while the Mid Town Road frontage and adjacent Aspen Grove lots are recommended for medium-density residential uses (16-25 units per acre).

**Zoning Summary:** The subject property will be zoned SR-C1 (Suburban Residential–Consistent 1 District):

Requirements	Required	Proposed
Lot Area	8,000 sq. ft. per dwelling unit	91,436 sq. ft. (existing)
Lot Width	60'	235.67' (existing)
Front Yard	30'	Will comply
Side Yard	6'	Will comply
Rear Yard	35'	Will comply
Maximum Building Coverage	50%	Will comply
Maximum Lot Coverage	60%	Will comply (see Zoning conditions)
Usable Open Space	N/A for non-residential uses	---
Maximum Building Height	35'	Will comply
Building Form	Civic or Institutional Building	Will comply
Number of Auto Parking Stalls	Minimum: 1 per 15 clients (214 children) = 14 stalls minimum Maximum = 200% of minimum = 28 stalls maximum	51
Accessible Stalls	Yes	3
Number of Bike Parking Stalls	1 per 5 employees (33) = 7 stalls	7; (See conditions)
<b>Other Critical Zoning Items</b>		
Yes:	Barrier Free, Utility Easements	
No:	Urban Design, Wellhead Protection, Floodplain, Landmarks, Waterfront Development	
<i>Prepared by: Tim Parks, Planning Division</i>		

**Environmental Corridor Status:** The property is not located in a mapped environmental corridor (see CARPC Map B11). The southern half of the property is mapped with an area of woodland with 80% canopy, which continues south onto the adjacent golf course.

**Public Utilities and Services:** The site is served by a full range of urban services with the exception of Metro Transit, which currently does not provide service west of Muir Field Road and Raymond Road or south of Watts Road and S. Junction Road. The proposed development will be outside Metro Transit's paratransit service area. The closest bus stop with scheduled transit service is just over 1.75 miles walking distance, and the property would be greater than the three-quarters of a mile regulatory distance from all day service for passengers who might be eligible for door-to-door paratransit service.

## Project Description

The applicant is requesting approval of a request to rezone a 2.1-acre parcel from A to SR-C1 to allow construction of a 20,000 square-foot daycare center following demolition of an existing single-family residence. The subject site is located on the south side of Mid Town Road approximately 500 feet east of its intersection with Hawks Ridge Drive and Hawks Landing Circle.

The subject site is one of three large tracts located on the south side of Mid Town Road that are developed with single-family residences. The site and other two residences are surrounded by the University Ridge Golf Course and Hawks Ridge Estates residential subdivision (a portion of which was later replatted as the Aspen Grove subdivision). The Hawks Landing residential subdivision and golf course is located across Mid Town Road from the site. The parcel was among a group of properties totaling 60.5 acres of land that were annexed to the City from the Town of Verona in 2004, the larger of which were subsequently developed as the Hawks Meadows, Hawks Ridge Estates and Hawks Woods Estates residential subdivisions.

The site is characterized by substantial tree cover throughout and by approximately 25 feet of grade change from west to east across the property. In addition to the approximately 235 feet of frontage along Mid Town Road, the property also has frontage onto Silverstone Lane, a 60-foot wide residential street established with the Hawks Ridge Estates development. At the present time, Silverstone Lane ends in a partially improved cul-de-sac that is located just off the corner of the property.

The residence was constructed in 1967 and contains 3 bedrooms and 2 baths according to City records. The one-story ranch-style home is built into the slope of the site, with a three-car garage located along the exposed eastern wall of the basement, which is accessed by a driveway located along the eastern property line that also serves a detached two-car garage southeast of the residence. A large deck is located off the southwestern corner. The applicant indicates that the residence will be relocated to a new location to accommodate the proposed daycare, although a receiving site is not identified in the application.

The proposed daycare will be a two-level, L-shaped building located on the northern half of the property. The letter of intent indicates that the center will serve 214 students, including a total of 180 infants, toddlers and pre-school children, and 34 students in an after-school program. Approximately 33 employees are estimated based on enrollment. Parking for 51 autos will be located along the west side of the building, with driveways proposed from Mid Town Road at the northeastern corner of the site, and from the Silverstone Lane cul-de-sac. The proposed building will have a fully exposed upper level and a finished lower level with exposure along the eastern and southern facades. The main entrance to the daycare will be located at the northwestern corner of the upper level facing the parking lot (the other doors shown on the elevations are egress doors from specific

rooms). Play areas are identified along the western façade of the building and between the south wall of the building and the site's onsite stormwater detention facility. A 2,700 square-foot addition that will contain a gym for the facility is shown in concept off the south wall of the daycare. A subsequent alteration to the conditional use will be required in order for the gym addition to be constructed in the future.

## Analysis

Daycare centers (and nursery schools), defined as a facility licensed by the State of Wisconsin in which qualified persons, other than a relative or guardian provide care and supervision for 8 or more children, adolescents, or adults for less than 24 hours per day, are conditional uses in all residential zoning districts. The SR-C1 zoning requested by the applicant was recommended by staff as the district most consistent with the single-family development pattern west of the subject site as well as the low-density residential land uses recommended for the property by the [Mid Town Neighborhood Development Plan](#) and [Comprehensive Plan](#). In general, daycare centers, libraries, community centers, and schools are complementary uses in areas recommended for low-density residential development.

The Planning Division believes that the Plan Commission can find the standards met to allow the demolition or removal of the existing residence and construction of the proposed daycare center. Staff believes that the request can meet the conditional use standards and supplemental regulations for the proposed daycare center, which are:

- (a) The loss of any state license or permit by a day care center shall result in automatic revocation of that facility's use permit.
- (b) A designated area for the short-term parking of vehicles engaged in loading and unloading children shall be provided. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
- (c) Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

The proposed daycare center will be located in a manner that should limit any potential impacts on surrounding residences, and staff believes that the buffer proposed along the western property line (a 4-foot cedar fence above a retaining wall adjacent to edge of parking) should provide the appropriate transition sought in supplemental regulation (c) above. Additionally, the applicant should be able to accommodate the designated stalls required in (b) above for the short-term loading and unloading children, although the final plans will need to be clarified to show the short-term area.

Staff is aware of concerns that have been expressed by some of the residents and property owners located along Silverstone Lane regarding the daycare center's proposed access to that street. However, staff from the Traffic Engineering Division and Planning Division have reviewed these concerns and do not feel that the traffic that will be generated by the daycare will be significant enough to negatively affect the uses, values or enjoyment, health, safety and general welfare, or normal and orderly development of the surrounding properties. Mid Town Road is currently a partially improved "rural to urban" street section that is planned to ultimately connect to Raymond Road east of the subject site to create a through east-west arterial linking the far western reaches of the City to Verona Road (US Highway 18/ 151).

Accordingly, access points along this street have been carefully reviewed to ensure the safe movement of traffic along this corridor, including the access to the proposed daycare. Due to existing travel speeds and the 25- to

30-foot grade change present along Mid Town Road adjacent to the site, the Traffic Engineering Division could not support a left-turn movement out of the site at any time of the day, which in turn requires that traffic leaving the site to go west on Mid Town have an alternate outlet. In this case, vehicles leaving the site will use Silverstone Lane and Hawks Ridge Drive to access Mid Town Road. The intersection of Hawks Ridge Drive, Hawks Landing Circle and Mid Town Road is located at the top of a hill, which affords better sight and stopping distances compared to the Mid Town frontage of the site down the hill. Traffic Engineering staff has further stated that there are generally fewer issues from non-single family development if traffic is required to enter and exit using multiple access points.

While staff acknowledges that some patrons of the daycare center may also use the secondary entrance from Silverstone Lane to access the site, and further, that some vehicles leaving the site via Silverstone may continue west past Hawks Ridge Drive to Woods Road, it believes that the volume of vehicles doing so will be low, that most of the vehicles coming to the site will use the Mid Town driveway, and that traffic impacts for residents to the west of the site should be limited. Conversely, Traffic Engineering staff has indicated that they could not find that the daycare center meets the conditional use standards without the second access point to disperse traffic.

As a condition of approval the applicant will dedicate 2 easements along the southern edge of the property with a Certified Survey Map to follow the requested land use approvals. The first easement will be a 20-foot wide easement dedicated to the City for a future east-west regional multi-purpose path planned to extend across the northern tier of University Ridge Golf Course parallel to Mid Town Road (a section of this planned route may use local streets including Silverstone Lane in lieu of off-street paths).

The second easement will be a separate 20-foot wide private driveway easement intended to provide a secondary means of access to serve future development of the adjacent parcel at 9001 Mid Town Road, which is currently developed with a single-family residence and oversized accessory building. When the Mid Town Neighborhood Development Plan was amended to account for the 60.5 acres of land annexed to the City south of Mid Town Road between Woods Road and University Ridge, it showed a potential street extension to the properties at 9001 and 9025 Mid Town Road to provide access opportunities for the southern half of the those relatively large, deep parcels. That planned street became Silverstone Lane during the platting of Hawks Ridge Estates in 2005, which included a temporary turnaround easement at the end of Silverstone Lane and a note that the easement would terminate once Silverstone Lane is "extended easterly." The turnaround easement was carried forward when a portion of Hawks Ridge Estates was replatted as Aspen Grove in 2014. City staff believes that the use of a private easement across 9025 Mid Town Road to provide access for future development on 9001 Mid Town in lieu of the extension of Silverstone Lane as a public street should provide adequate secondary access for the adjacent parcel, which is recommended for low-density residential development like the subject property.

Finally, the proposed daycare center requires Plan Commission approval to exceed the maximum automobile parking allowed by the Zoning Code, which is set at 200% of the minimum parking requirement. The minimum parking requirement for a daycare center is 1 space per 15 clients, which equals 14 for the proposed center based on a 214-student enrollment. The 51 stalls proposed is nearly twice the maximum allowed. Per Section 28.141(6)(b)4., an increase of more than 20 parking spaces that is also more than 10% of the maximum parking requirement may be approved by the Plan Commission as a conditional use.

When considering approval of surface parking exceeding the maximum, the following shall be considered:

- (1.) Documentation regarding the actual parking demand for the proposed use.
- (2.) The impact of the proposed use on the parking and roadway facilities in the surrounding area.

- (3.) Whether the proposed use is located near a parking area that is available to the customers, occupants, employees and guests of the proposed use.
- (4.) The availability of alternative forms of transportation and actions being taken by the applicant to enhance or promote those alternatives.
- (5.) Structured parking, rain gardens or other bioretention facilities, additional landscaping, pervious pavement, or other mitigation measures may be required as conditions for an exception.
- (6.) Whether the proposed use is new or is an alteration, addition or expansion of an existing use.

In this case, the Planning Division believes that the Plan Commission can find grant the conditional use for the parking in excess of the maximum. The proposed daycare center will be located on the periphery of the City in an area that is not currently served by Metro Transit, has limited access to the existing regional bike path network, is in an area with an incomplete network of sidewalks, and is not proximate other existing parking areas that could be used as alternate off-site parking. Therefore, the vast majority of users and employees of the site will arrive by car. The Plan Commission may consider whether rain gardens or other bioretention facilities, additional landscaping, pervious pavement, or other mitigation measures are necessary to offset impacts from the proposed parking lot.

## Conclusion

The applicant is requesting approval of a request to rezone a 2.1-acre parcel at 9025 Mid Town Road from A to SR-C1 to allow construction of a 20,000 square-foot daycare center following demolition or relocation of an existing single-family residence. The Planning Division believes that the proposed zoning is consistent with the single-family development pattern west of the subject site as well as the low-density residential land uses recommended for the property by the [Mid Town Neighborhood Development Plan](#) and [Comprehensive Plan](#). Staff believes that the proposed daycare can meet the standards for conditional use approval despite concerns that have been expressed to staff about potential traffic impacts in the Hawks Ridge Estates and Aspen Grove residential subdivisions from the center's secondary access from Silverstone Lane. While staff acknowledges that there some vehicles accessing the daycare center will use Silverstone, the vast majority will access the site from the Mid Town Road driveway. Further, because Silverstone was planned to provide access to 9001 and 9025 Mid Town when this area was planned and subdivided, some increase in traffic above the current condition should be assumed along that street.

Finally, staff feels that the parking lot proposed to serve the daycare center is appropriate given its location, the lack of alternative forms of transportation serving the site, and absence of parking off-site that could reduce the amount of parking proposed.

## Recommendation

### Planning Division Recommendation (Contact Timothy M. Parks, 261-9632)

The Planning Division recommends that the Plan Commission find the standards met and forward Zoning Map Amendment ID 28.022-00218, rezoning property located at 9025 Mid Town Road from A to SR-C1, to the Common Council with a recommendation of **approval**, and **approve** a demolition permit and conditional uses to allow a single-family residence to be demolished and a daycare center to be constructed subject to input at the public hearing, the following Planning Division condition(s) and the conditions from reviewing agencies:

**Recommended Conditions of Approval** Major/Non-Standard Conditions are Shaded

**Planning Division**

1. That the applicant receives the approval of Planning, Zoning, and Building Inspection Plan Review staff of plans for the relocation of the residence. If the new site is located within the City of Madison, the applicant shall receive zoning and building plan approval for the receiving site prior to the issuance of raze/ relocation permits for the current site. In the event that the building is not relocated, a reuse and recycling plan approved by the Recycling Coordinator will be required prior to the issuance of wrecking permits.
2. Revise the elevations to correctly label the east elevation.
3. The final plans shall be revised to show a designated area for the short-term parking of vehicles engaged in loading and unloading children, which shall be located as close as practical to the principal entrance of the building. The short-term stalls shall be connected to the building entrance by a sidewalk.
4. Future construction of the gymnasium shall require approval by the Plan Commission as an alteration to the approved conditional use subject to the process and standards in Section 28.183 of the Zoning Code.

**City Engineering Division** (Contact Tim Troester, 267-1995)

5. This development is in the Upper Badger Mill Creek Stormwater Impact fee district - fees shall be paid for this prior to approval of the plan set.
6. The applicant shall provide proof of septic system abandonment from Public Health-Madison and Dane County as a condition of final plan approval.
7. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Mark Moder (261-9250) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
8. All outstanding City of Madison sanitary sewer connection charges are due and payable prior to City Engineering Division sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. This property is subject to Sanitary Connection charges for the Hawks Ridge Estates Sewer Assessment District. The applicant shall provide evidence that assessment paid for prior to plan signoff.
9. 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.
10. The construction of this project will require the applicant shall enter into a City/ Developer agreement for the required infrastructure improvements. The applicant shall contact City Engineering 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. Note: Obtaining a developer's agreement generally takes approximately a minimum of 4-6 weeks.

11. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
12. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the City Engineering Division (Storm/Sanitary Section). The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number. The digital copies shall be drawn to scale and represent final construction including: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.); right-of-way lines (public and private); plat name and lot lines (metes & bounds parcel lines if unplatted); platted lot numbers (noted "unplatted lands" if not platted); lot/plat property dimensions; street names; private on-site sanitary sewer utilities (including all connections to public sanitary); private on-site storm sewer utilities (including all connections to public storm). The CAD file will only be required prior to final plan review so that multiple files do not need to be supplied or reviewed. The party responsible for the CAD file e-mail transmission shall include the project site address in the email subject line. Any changes or additions to the location of the building, private utilities, sidewalks, parking/pavement during construction will require a new CAD file transmittal.
13. The applicant shall 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information: 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 or parcel lines if unplatted; g) Lot numbers or the words unplatted; h) Lot/Plat dimensions; i) Street names; j) Stormwater Management Facilities; k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).
14. 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.
15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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 5.0-tons per acre per year.
16. 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 our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.



17. Prior to approval, this project shall comply with Chapter 37 of Madison General Ordinances regarding stormwater management. Specifically, this development is required to: reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls; provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; provide onsite volumetric control limiting the post construction volumetric discharge to the predevelopment discharge volume as calculated using the 10-year storm event; provide substantial thermal control; 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.
18. The approval of this zoning approval 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.
19. 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.
20. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
21. All work in the public right of way shall be performed by a City-licensed contractor.
22. All damage to the pavement on Mid Town Road and Silverstone Lane adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
23. The applicant shall make improvements to Mid Town Road in order to facilitate ingress and egress to the development as required by City Engineer.
24. The applicant shall dedicate 14 feet of right of way along Mid Town Road.
25. The applicant shall execute a waiver of notice and hearing on the assessments for the improvement of Mid Town Road in accordance with Section 66.0703(7)(b) Wisconsin Statutes and MGO Section 4.09
26. The applicant shall construct sidewalk along frontage of Mid Town Road according to a plan approved by the City.

**City Engineering Division – Mapping Section** (Contact Jeff Quamme, 266-4097)

27. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data so that the permitting system can upload this data and permit issuance made available for this new land record. The Certified Survey shall include the required dedications of public right

of ways along Mid Town Road and Silverstone Lane and shall grant the required Public Bicycle and Pedestrian Path along its southerly side. The final required configuration of the dedications and easements shall be determined by City Engineering/City Traffic Engineering staff as part of the approval process for the pending Certified Survey Map.

28. Provide a recorded copy of the easement/agreement allowing the encroaching driveway that currently exists over the southeasterly side of this site. If one does not currently exist, an agreement shall be drafted, executed and recorded at the Dane County Register of Deeds Office and referenced on the required Certified Survey Map.
29. If any excavation or access necessary over any adjacent property is required for installation and maintenance of the proposed retaining walls shown along the east and west property lines (this includes any required wall anchoring system installation), applicant shall provide a copy of the easement/agreement recorded at the Dane County Register of Deeds providing for the use of the adjacent properties for this purpose.
30. The Private Driveway Easement Agreement with the property located at 9001 Mid Town Road providing future common access to Silverstone Lane over the south side of this site shall be drafted, reviewed and recorded and the recording information referenced on the pending Certified Survey Map.
31. A copy of the recorded private storm water discharge agreement with University Ridge Golf Course to the south shall be provided and referenced on the pending Certified Survey Map.
32. The address of 9025 Mid Town Road will be retired with the moving (or demo) of the house to a new location and a new address will be created for the daycare center (along with the creation of a new parcel ID number from the recorded CSM). The address of the proposed daycare center is 9037 Mid Town Road.

33. 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.

**Traffic Engineering Division** (Contact Eric Halvorson, 266-6527)

34. Traffic impact fees will be due and payable for the proposed daycare center prior to the issuance of building permits. The final impact fees due will be based on the final plans submitted for approval prior to permit issuance.

35. The applicant shall provide sidewalk connection from front of building to new property line along Mid Town Road to make connection to future Mid Town Road sidewalk.

36. The applicant shall provide a clearly defined 5-foot walkway clear of all obstructions to assist citizens with disabilities, especially those who use a wheelchair or are visually impaired. Obstructions include but are not limited to tree grates, planters, benches, parked vehicle overhang, signage and doors that swing outward into walkway.

37. All sidewalks adjacent parking stalls shall be 7 feet to accommodate vehicle overhang.

38. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
39. The applicant shall submit one contiguous plan 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.
40. 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.
41. 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.
42. All parking facility design shall conform to the standards in MGO Section 10.08(6).
43. Note: As of October 2, 2015, Traffic Engineering will no longer be accepting paper plans; to ensure a timely review, all submittals shall include an electronic copy (PDF preferred).

**Zoning Administrator** (Contact Jenny Kirchgatter, 266-4429)

44. Reconfigure the driveway to meet the requirements of Section 28.141(9)(g). Driveways shall be oriented in a perpendicular fashion to the street from which they take access, and shall cross required setbacks in a perpendicular fashion, to the extent feasible. The driveway shall be reconfigured to cross the required 30-foot front yard setback in a perpendicular manner.
45. The proposed surface parking lot exceeds the maximum number of parking spaces. The minimum automobile parking requirement for a daycare center is 1 space per 15 clients, and the maximum is 200% of the minimum requirement. Per Section 28.141(6)(b)4., an increase of more than 20 parking spaces that is also more than 10% of the maximum parking requirement may be approved by the Plan Commission as a conditional use. Submit documentation supporting the request to exceed the maximum automobile parking requirement per Section 28.141(6)(c).
46. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
47. Provide a calculation for lot coverage with the final submittal. The lot coverage maximum is 60%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than 5 feet, pervious pavement, green roofs and decks.

48. A designated area for the short-term parking of vehicles engaged in loading and unloading children shall be provided. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk. Identify the short-term parking area on the final site plan.
49. Submit a bike rack detail with the final plan submittal.
50. 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. The landscape plan shall comply with the requirements for interior parking lot landscaping per Section 28.142(6) for percentage of planted areas and required canopy trees. Development frontage landscaping shall meet the requirements of Section 28.142(5). Note that existing trees and shrubs located on the private property may contribute to the requirement, but trees located within the right of way will not count toward the requirement.
51. Relocate the trash enclosure outside the 30-foot front yard setback. The enclosure may be located within the building envelope, outside of the front and side yard setback areas. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of 6 feet and not greater than 8 feet.
52. Submit details of the proposed storage shed. A building permit will be required for the shed.
53. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.
54. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with MGO Chapter 31 Sign Codes. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.
55. Exterior lighting shall be in accordance with MGO Section 10.085. Provide an exterior lighting photometric plan and fixture cut sheets with the final plan submittal.

**Fire Department** (Contact Bill Sullivan, 261-9658)

Note: The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Water Utility** (Contact Dennis Cawley, 261-9243)

56. There are water main assessments that will be due against this parcel [at the time the new building connects to the water system].

57. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility in accordance with MGO Section 13.21.

**Metro Transit** (Contact Tim Sobota, 261-4289)

58. The proposed building has no connection to the public sidewalk network. The site plan does not show plans to install sidewalk along the Mid Town Road frontage (currently unimproved), nor any walkway connection between the building and the existing public sidewalk in the Silver Stone Lane cul-de-sac.

**Parks Division** (Contact Janet Schmidt, 261-9688)

59. All proposed street tree shall be coordinated with City Forestry; contact Brian Meiller at bmeiller@cityofmadison.com or 266-4816. Reference Parks Division Memo 16101 when contacting staff about this project.