



Department of Planning & Community & Economic Development

Planning Division

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October 6, 2020

Steven Ritzer
Boneyard Productions, LLC
5812 Bridge Road
Monona, WI 53716

RE: Legistar #61819; Accela ID: 'LNDUSE-2020-00089' -- Approval of a conditional use for indoor and outdoor recreation with incidental alcohol sales in the Industrial Limited (IL) Zoning District to allow construction of a private dog park at 1018-1034 Walsh Road.

Dear Mr. Ritzer,

At its October 6, 2020 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request for indoor and outdoor recreation with incidental alcohol sales in the Industrial Limited (IL) Zoning District to allow construction of a private dog park at 1018-1034 Walsh Road. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following eleven (11) items:

1. Because of the proximity of Starkweather Creek water quality devices will be required for discharge of the parking lot to the creek. Provide a plan for pet waste clean up prior to discharge to the creek.
2. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit a deposit to cover estimated City expenses will be required.
3. Obtain a permit to Excavate in the Right-of-Way for the connection and/or installation of utilities required to serve this project, and for the discharge of the storm sewer to Starkweather Creek. The improvements shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO 10.05(6)), MGO 35.02(4)(c)(2)), and MGO 37.05(7)
4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by

the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))

5. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
6. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
7. Per the WDNR closure letter, this property was closed with residual soil contamination (BRRTS 02-13-562364 ZIEGLER PROPERTY). Written approval from the WDNR is required prior to disturbing the existing barrier cap. Submit copy of WDNR approval letter to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com).
8. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
9. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval. Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>. Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.
10. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
11. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Please contact Jeff Quamme of the Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following two (2) items:

12. Vol 761, Page 192 of Deeds (Doc No 1077801) per the C & H Plat is not correct and is in error. The easement has been determined to be Doc No. 962033 and has been released by Doc No 5218819. The note shall be updated accordingly.
13. Show and label the area conveyed for street purposes per Doc No 2919475 adjacent to the northeast corner of the site. Also due to the conveyance the length of the north line of the site is approximately 124.53 feet and not 145.49 feet.

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following ten (10) items:

14. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
15. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be to engineering scale and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; vision triangles; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
16. 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.
17. 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.
18. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
19. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers
20. All pedestrian walkways adjacent parking stalls shall be 7 feet wide to accommodate vehicle overhang, signage and impediments to walkway movements. Any request for variance shall be submitted to and reviewed by City Traffic Engineering.
21. "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.
22. 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.
23. Secure parking facility. This is usually done with continuous six (6) inch curb, timbers, preformed wheel stops, guardrail erected at a height of eighteen (18) inches or fencing of sufficient strength to act as a vehicle bumper.

Please contact Jacob Moskowitz, the Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following four (4) items:

24. Submit a detail of the trash enclosure. The trash enclosure shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet.
25. Submit the landscape plan and landscape worksheet stamped by a registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
26. Bicycle parking for the project shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 5% of indoor capacity in short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance.
27. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards.

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

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

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

Please now follow the procedures listed below for obtaining your conditional use:

1. After the plans have been revised per the above conditions, please resubmit a PDF copy of the complete, fully dimensioned, and to-scale plans, the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator (zoning@cityofmadison.com). Note that the 20MB email limit still applies. Please mail the check, made out to "City Treasurer", for the site plan review fee to the following address: City of Madison Building Inspection P.O. Box 2984 Madison, WI 53701-2984. Include a cover page with the check, which includes the project address, brief description of the project, and contact information.

2. This property is not located within a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.
4. A conditional use approval is valid for two (2) years from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted. 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 twelve (12) months from the expiration date.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for 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 City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

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

Sincerely,



Sydney Prusak, AICP
Planner

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

<i>Signature of Applicant</i>	

<i>Signature of Property Owner (if not the applicant)</i>	

cc: Brenda Stanley, Engineering Division
Jeff Quamme, Engineering Division-Mapping
Sean Malloy, Traffic Engineering
Bill Sullivan, Fire Department
Jacob Moskowitz, Zoning
Jeff Belshaw, Water Utility

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