



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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May 25, 2022

Alan Theobald
Iconica
901 Deming Way #102
Madison, WI 53717

RE: Legistar #70551; Accela 'LNDUSE-2022-00025' -- Approval of a conditional use alteration to expand a school and a conditional use for parking in excess of the maximum at **1802 Pankratz Street**.

Dear Alan Theobald:

At its May 23, 2022 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request and conditional use alteration request expand a school and expand the surface parking lot at **1802 Pankratz Street**. In order to receive final approval of the conditional use and for any permits that may need to be issued for your project, the following conditions shall be met:

Please contact Colin Punt of the Planning Division at 243-0455 if you have any questions regarding the following one (1) item:

1. That the applicant reduce the number of surface vehicle parking stalls to 69. If after construction and occupancy, or if information documenting staffing or enrollment increases is provided and the applicant is able to demonstrate additional demand for vehicle parking, the applicant can request a minor alteration to the conditional use to request additional parking.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have any questions regarding the following eight (8) items:

2. Provide electric vehicle stalls per Section 28.141(8)(e) Electric Vehicle Charging Station Requirements. A minimum of 10% of the parking stalls (8 stalls) must be electric vehicle ready, and a minimum of 1% of the stalls (1 stalls) must be electric vehicle installed. Identify the locations of the electric vehicle ready and installed stalls on the plans.
3. Bicycle parking for the school shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of 65 short-term bicycle parking stalls located in a convenient and visible area on a paved or pervious 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. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
4. Submit the landscape plan and landscape worksheet stamped by the registered landscape architect.

Identify and label the existing as well as the proposed trees, landscaping, and plantings. 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.

5. Provide adequate development frontage landscaping per Section 28.142(5) Development Frontage Landscaping. One (1) overstory deciduous tree and five (5) shrubs shall be planted for each thirty (30) lineal feet of lot frontage. Two (2) ornamental trees or two (2) evergreen trees may be used in place of one (1) overstory deciduous tree.
6. Provide adequate interior parking lot landscaping per Section 28.142(6). Add parking lot islands within the east and south bays of parking. A planting island shall be located at least every twelve (12) contiguous stalls with no break.
7. Per Sections 28.142(3)(c) and 28.142(4)(e), planting beds or planted areas must contain at least 75% vegetative cover mulched. Mulch shall consist of shredded bark, chipped wood or stone installed at a minimum depth of two (2) inches. If stone is used, it shall be spread over weed barrier fabric.
8. Provide details demonstrating compliance with bird-safe glass requirements Section 28.129. For building façades where the first sixty (60) feet from grade are comprised of less than fifty percent (50%) glass, at least eighty-five percent (85%) of the glass on glass areas fifty (50) square feet or over must be treated. Of all glass areas over fifty (50) square feet, any glass within fifteen (15) feet of a building corner must be treated. Identify which glass areas are 50 sq. ft. or greater and which glass areas will be treated. Provide a detail of the specific treatment that will be used.
9. 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.
10. Signage approvals are not granted by the Plan Commission. Signage must be reviewed for compliance with Chapter 31 Sign Codes of the Madison General Ordinances and Chapter 33 Urban Design District ordinances. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

11. The City needs to maintain access to the City sewer on the west side of the building. Applicant shall construct a 12' wide sewer access road in conformance with City of Madison S.D.D 5.1.4 with no more 3" of topsoil over 10" of No. 2 crushed stone base.
12. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
13. Construct new sidewalk & sewer access to a plan as approved by City Engineer. Construct spot replacement of damaged sidewalk, terrace, curb and gutter and pavement as necessary.

14. Madison Metropolitan Sewerage District (MMSD) charges are due and payable prior to Engineering 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. (MGO 16.23(9)(d)(4))
15. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
16. A Storm Water Management Report and Storm Water Management Permit is required for this project. See Storm comments for report and permit specific details and requirements.
17. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
18. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 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. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constformsinfo.htm>. 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 CARPC is required for this project to proceed.
19. Revise the site plan 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. (POLICY)
20. 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.
21. 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>
This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit. (POLICY)
This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to

document that appropriate measures have been taken to prevent erosion as a result of this testing. 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.

22. 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 Stormwater Management Permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>. The Storm Water Management Plan & Report shall include compliance with the following:
- Report: Submit prior to plan sign-off, a stormwater management report stamped by a P.E. registered in the State of Wisconsin.
- Electronic Data Files: 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. (POLICY and MGO 37.09(2))
- Rate Control: Detain the 2, 10, 100 & 200 -year storm events, matching post development rates to predevelopment rates and using the design storms identified in Madison General Ordinances Chapter 37.
- Infiltration: Provide infiltration of 90% of the pre-development infiltration volume.
- TSS New Development: 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 BMP used to meet stormwater management requirements on this project.
23. 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.
24. 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 Julius Smith of the Engineering Division – Mapping Section, at 264-9276 if you have any questions regarding the following six (6) items:

25. Grant a Public Sanitary Sewer Access Easement along the North and West side of the development's parcel to the City on the pending Certified Survey Map. Coordinate with Engineering Sewer Engineering staff to confirm the final easement configuration and associated access improvements. Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final required language. Note the easement shall include terms that the repair and related costs of the turf and private storm sewer upon the use of the easement by the City of Madison shall be the owner's responsibility.
26. Outlot 7 of Second Addition of Truax Air Park West was dedicated to the public for Pedestrian and

Bicycle Path purposes. The pending Certified Survey Map has proposed to replat this Outlot area as part of a Lot for development on the site. The City of Madison, who accepted dedication for these special purposes, shall release the dedication restriction in accordance with s. 66.1025(1) of the Wisconsin Statutes Relief of Gifts and Dedications by a resolution adopted by Common Council. The City of Madison, following conditional approval of the pending Certified Survey Map, shall proceed with preparation of resolution by Engineering for introduction to Common Council. Adoption of the Resolution and satisfaction of any conditions shall authorize the City of Madison Office of Real Estate Services to draft, administer and record the necessary conveyance/grant of land back to the owner/dedicator/heirs, allowing the replatting of the Outlot. Contact Julius Smith of Engineering Mapping to coordinate the relief of the dedication , 608-264-9276 or jsmith4@cityofmadison.com

27. Grant a Public Sidewalk and Bike Path Easement to the City of Madison on the pending Certified Survey Map. Coordinate with Engineering Streets Staff and Traffic Engineering for the approval of the configuration of the path and the required easement area. The easement area shall encompass the area required for the construction, maintenance and repair of the bike path improvements. The terms of the easement shall contain text consenting to the two private access aisles crossing the easement areas and any associated restriction or requirements.
Contact Julius Smith of Engineering Mapping (jsmith4@cityofmadison.com, 608-264-9276) for the final required language.
28. There is a guy pole in the southwest corner of this site. Title work does not contain an easement or agreement in regard to this pole. It is suggested that the Applicant / Owner contact the Utility to coordinate any necessary easement rights for the improvement.
29. Plan scale should read 1"= 30'
30. 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 266-5987 if you have any questions regarding the following eleven (11) items:

31. 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.
32. 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.

33. 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.
34. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
35. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
36. 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.
37. The applicant shall provide a clearly defined 5' walkway from the front door to the public Right of Way clear of all obstructions to assist citizens with disabilities, especially those who use a wheel chair 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.
38. "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.
39. One way operation of the site shall be secured by placing a "One Way" sign at the entrance and a "Do Not Enter" sign at the Exit.
40. 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.
41. Applicant shall submit for review a student drop off and pickup plan. This plan shall include the number of students, estimated modes of arrival by percentage, estimated arrival times and any requested passenger loading zones.

Please contact Bill Sullivan of the Fire Department at 866-4691 if you have any questions regarding the following two (2) items:

42. All portions of the fire lanes for newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.507 for additional information. Plans show the distance to the fire hydrants as the crow flies not as the fire truck can navigate through the site.
43. Provide a fire lane that extends to within 250-feet of all exterior portions of the structure, since the building has a fire sprinkler system.

Please contact Jeffrey Heinecke of the Forestry Section at 266-4890 if you have any questions regarding the following three (3) items:

44. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, and fire aerial apparatus plan sets. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
45. On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the site plan.
46. Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan and street tree planting plan shall be submitted in PDF format to City Forestry for approval of planting locations within the right of way and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note on the landscape plan.: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Please contact Jeff Belshaw of the Water Utility at 261-9835 if you have any questions regarding the following two (2) items:

47. 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.
48. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

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:

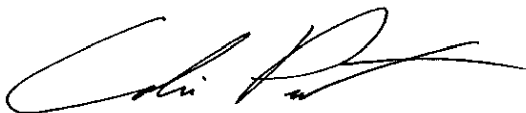
1. After the plans have been revised per the above conditions, please **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at zoning@cityofmadison.com. (Note that that an individual email cannot exceed 20MB and it is the responsibility of the applicant to present files in a

manner that can be accepted. Please email zoning@cityofmadison.com regarding questions or if you need alternative filing options) The sets of final revised plans or documents will be circulated by Zoning staff to the City department staff listed above for their final approval.

2. 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.
3. The approval is valid for one (1) year 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.
4. 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.
5. 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 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 243-0455.

Sincerely,



Colin Punt
 Planner

cc: Jenny Kirchgatter, Asst. Zoning Administrator
 Brenda Stanley, Engineering Division
 Julius Smith, Engineering Division – Mapping
 Sean Malloy, Traffic Engineering
 Bill Sullivan, Fire Department
 Jeffrey Heinecke, Forestry Section
 Jeff Belshaw, Water Utility
 Jessica Vaughn, UDC Secretary

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2022-00025			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Punt)	<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 checked="" 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 checked="" type="checkbox"/>	Water Utility
<input type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry