



Department of Planning & Community & Economic Development

Planning Division

William Fruhling, Interim Director

Madison Municipal Building, Suite 017

215 Martin Luther King, Jr. Blvd

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

www.cityofmadison.com

June 6, 2024

Bill Brodzinski
First Midwest Group
681 Spring Creek Rd
Rockford, IL 61114

RE: Legistar #82905; Accela 'LNDUSE-2024-00019' -- Approval of a PD-GDP-SIP zoning map amendment at 4702 Verona Road

Dear Bill:

At its June 4 meeting, the Common Council, meeting in regular session, found the standards met and approved your zoning map amendment ordinance request to rezone land at 4702 Verona Road from PD to amended PD-GDP-SIP district. In order to receive final approval of any permits that may need to be issued for your project, the following conditions shall be met:

Please contact Jessica Vaughn, Urban Design Commission Secretary at (608) 267-8740 if you have any questions regarding the following one (1) item:

1. Address the conditions from the May 8, 2024 UDC approval motion:
 - The new windows located to the left of the main entrance shall be lowered to a minimum sill height of 29" above the finished floor. A modesty screen can be provided and is acceptable.
 - A final materials board detail shall be provided that shows a durable exterior paint that is appropriate for a masonry material. This condition can be reviewed/approved administratively.
 - The continued review of the lighting shall be completed administratively.
 - The stella d'oro lily shall be swapped for a less common varietal.

Please contact Jenny Kirchgatter, Assistant Zoning Administrator at (608) 266-4429 if you have any questions regarding the following eight (8) items:

2. Submit the Zoning Text for review and approval by Zoning and Planning staff.
3. Bicycle parking for the coffee shop shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum number of short-term bicycle parking stalls equal to five percent (5%) of capacity of persons 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 the existing as well as the proposed landscaping. Any displaced landscaping elements must be replaced on the site and shown on the revised landscape plan. 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. Submit details 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.
6. Verify whether new parking lot or site lighting will be installed. New parking lot lighting must comply with City of Madison General Ordinances Section 29.36 outdoor lighting standards. If parking lot site lighting is provided, submit a lighting photometric plan and fixture cut sheets with the final plan submittal.
7. Verify whether new exterior mechanical equipment, building vents or louvers are proposed.
8. 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.
9. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

Please contact Tim Troester of the City Engineering Division at (608) 267-1995 if you have any questions regarding the following two (2) items:

10. Based on WDNR BRRS record #0313001048 (Fiore Coal & Oil Co), the property contains residual soil contamination in the proposed drive-thru lane. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
11. Obtain a Street Terrace permit for the proposed work (installation of the driveway apron, landscaping, etc.) This permit application is available and must be completed on line at <http://www.cityofmadison.com/engineering/permits.cfm> (MGO 10.08)

Please contact Julius Smith of the City Engineering Division – Mapping Section at (608) 264-9276 if you have any questions regarding the following six (6) items:

12. Based on WDNR BRRS record #0313001048 (Fiore Coal & Oil Co), the property contains residual soil contamination in the proposed drive-thru lane. If contamination is encountered, follow all WDNR and DSPS regulations for proper handling and disposal.
13. Note: per court ruling in 2004, Feb 199 revision to Trans 233 invalid. Any setbacks placed on lands other than subdivisions plats are invalid. Contact Wisconsin Department of Transportation for

removal of the 42' Highway Setback per CSM 9472 and CSM 10220. have them release the restriction on both documents. While these restrictions are currently not enforceable, this process will remove them from your title documents.

14. Identify on the plans the lot and block numbers of recorded Certified Survey Map or Plat.
15. The site plan shall include all lot/ownership lines, existing building locations, proposed building additions, demolitions, parking stalls, driveways, sidewalks (public and/or private), existing and proposed signage, existing and proposed utility locations and landscaping.
Show all of the Existing utilities and landscaping as required.
See <https://www.cityofmadison.com/dpced/bi/documents/LUAChecklist.pdf>
Also correctly show the effective Right-of-way of the frontage road with all of the Highway Easements including those obtained in Document No. 4976320.
16. Provide a full and complete legal description of the site or property being subjected to this application on the site plan.
17. Locate the existing business sign on site at easterly corner of the Highway Easement. Verify the flag shaped overhang does not encroach the Public Right-of-Way if the sign is to remain. If the sign is not within the Right-of-Way and is to remain or if it is to be removed and only the base is to be reused verify with the City Planning department that sign placement is allowed within the 30' Highway Buffer Strip per CSM 9472

Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following thirteen (13) items:

18. 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.
19. 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.
20. 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.
21. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
22. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

23. 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.
24. The applicant shall provide a clearly defined 5' walkway 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.
25. "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.
26. 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.
27. 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.
28. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
29. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.
30. All vehicle service window access aisles shall have a minimum outside turning radius of thirty (30) feet.

Please contact Brandon Sly of the Forestry Section at (608) 266-4892 if you have any questions regarding the following eight (8) items:

31. An existing inventory of street trees located within the right of way shall be included on the site, demo, utility, landscape, grading, fire aerial apparatus and street tree plan sets. The inventory shall include the following: location, size (diamater 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.
32. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the street tree plan set.
33. Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in

a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at (608) 266-4816. Penalties and remediation shall be required. Add as a note on the site, grading, utility, demolition, and street tree plan set.

34. As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry at (608) 266-4816 prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the site, grading, utility, demolition and street tree plan sets.
35. Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction (website: <https://www.cityofmadison.com/business/pw/specs.cfm>) addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on both the site and street tree plan sets.
36. 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 both the site and street tree plan sets.
37. Street tree pruning shall be coordinated with City Forestry at a minimum of two weeks prior to the start of construction for this project. Contact City Forestry at (608)266-4816. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on both the site and street plan sets.
38. 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 both the landscape and street tree plan sets: 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 Tim Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following six (6) items:

39. In coordination with any public works improvements, the applicant shall maintain or replace the concrete boarding pad surface at the existing Metro bus stop on the east side of the West Verona

Frontage Road, north of the roundabout intersection (#4481).

40. To facilitate City transit planning efforts, the applicant shall identify the accessible pedestrian connection between the building entrance(s) and the existing public sidewalk along the West Verona Frontage Road, adjacent this Metro bus stop.
41. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.
42. The applicant may install and maintain a concrete amenity pad surface - as part of the private landscape plan for the proposed redevelopment site - across the sidewalk from the bus stop zone that is on the east side of the West Verona Frontage Road, north of the roundabout intersection. The applicant may then install and maintain a new passenger seating amenity in this area, as part of the private landscape plan, to serve the users of the planned redevelopment site.
43. Metro Transit operates daily all-day transit service along the West Verona Frontage Road adjacent this property - with trips at least every 30 minutes.
44. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 68 Weekday & 53 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Please contact Trent Schultz of the Parking Utility at (608) 261-9835 if you have any questions regarding the following one (1) item:

45. The applicant shall submit a Transportation Demand Management (TDM) Plan to tdm@cityofmadison.com. The TDM Plan is required per MGO 16.03. Applicable fees will be assessed after the TDM Plan is reviewed by staff.

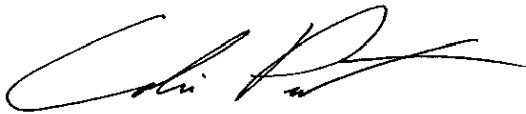
Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

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

1. After the plans have been revised per the above conditions, please submit **one (1) complete digital plan set in PDF format** of complete, fully dimensioned, and to-scale plans; the appropriate site plan review application and [site plan review fee pursuant to Section 28.206](#) of the Zoning Code; and any other documentation requested herein to the Zoning Administrator at SPRapplications@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.

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
Sean Malloy, Traffic Engineering Division
Tim Troester, City Engineering Division
Jule Smith, City Engineering Division – Mapping Section
Brandon Sly, Forestry Section
Tim Sobota, Metro Transit
Trent Schultz, Parking Utility
Jessica Vaughn, UDC Secretary

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2024-00019			
For Official Use Only, Re: Final Plan Routing			
<input 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 type="checkbox"/>	Fire Department	<input type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Forestry
<input checked="" type="checkbox"/>	Parking Utility	<input type="checkbox"/>	Other: