



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, Director

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

June 26, 2024

Travis Leeser
Cleary Building Corporation
190 Paoli Street
Verona, WI 53593

RE: Consideration of a conditional use for warehousing and storage, and consideration of a conditional use for a building exceeding 25,000 square feet for an individual establishment to allow construction of two storage buildings in the Commercial Center (CC) District at 6334 Millpond Road. (ID [83480](#), LNDUSE-2024-00035).

Travis Leeser,

On June 24, 2024, the Plan Commission found the standards met and **conditionally approved** the conditional use for 6334 Millpond Road. In order to receive final approval of the conditional use, and for any other permits that may need to be issued for your project, the following conditions shall be met:

Please contact Lisa McNabola of the Planning Division at (608) 243-0554 if you have any questions regarding the following three (3) items:

1. The applicant has submitted revised plans dated June 19, 2024. These plans have not been reviewed by all reviewing agencies and may be subject to additional review for ordinance adherence.
2. As part of the first phase of development, the landscape plan shall be revised to include the following, subject to approval by the Planning Division Director or their designee:
 - a. Evergreen trees (or comparable plantings) shall be incorporated on site between the building and STH 12/18 to provide additional year-round screening of the building. The landscape architect shall work with staff to determine appropriate planting sizes with the intent that initial plantings shall begin to provide some screening, to the extent practical.
 - b. Additional landscaping and screening shall be installed to screen the long, eastern wall of the building. This vegetative screening may be installed east of the phase 2 building if determined to effectively screen the phase 1 building.
3. Approval is granted for the first phase of the project as noted on the plans. The second phase shall follow the procedure for a major alteration to the conditional use consistent with the procedures in MGO Section 28.183(8).

Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following fifteen (15) items:

4. Public Storm sewer shall be extended to the site to serve the area. A developer's agreement shall be required. A permit to cross the gas transmission line will be required and is the responsibility of the developer to obtain.
 5. The applicant shall connect to or extend public storm sewer connecting directly to a public storm structure that is either in the public sidewalk or terrace area, or inlet at the curb on the side of the street, adjacent to the development. Any storm lateral extension crossing any lanes of traffic or running longitudinally within a public street right of way for over 20ft, in order to connect to the public system, shall be considered a private storm sewer lateral and will require an approved and recorded privilege in streets agreement. (POLICY)
 6. 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)
 7. Construct sidewalk, terrace, curb & gutter and pavement to a plan as approved by City Engineer
 8. 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))
 9. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
 10. 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.
 11. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
 12. 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.
13. 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)

14. This area is within a watershed study for flood mitigation and has a known flooding risk. The minimum opening elevations for structures proposed by this application shall have a low entrance elevation that is a minimum of 2' above the adjacent sidewalk elevation. The stated elevation is intended to be protective but does not guarantee a flood proof structure. The Developer/Owner are strongly encouraged to complete their own calculations and determine an elevation that protects their property to a level of service that they are comfortable with.
15. Record a deed restriction to restrict construction of building openings on all structures to be a minimum of 867.00.
16. 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.

17. 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 New Development: Detain the 2, 5, 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.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

18. 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 Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following seven (7) items:

19. 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.
20. 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.
21. 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.
22. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
23. "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.
24. 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.
25. The applicant shall construct sidewalk along their frontage according to plan approved by City Engineer.

Please contact Jacob Moskowitz, Assistant Zoning Administrator at (608) 266-4560 if you have any questions regarding the following six (6) items:

26. Plans show the future phase buildings outside of the 100 ft maximum front yard setback. Revise the plans to either remove the buildings from this approval or modify their location to within 100 ft of the front property line.

27. Plans show the building within the required 5 ft side yard setback. Revise the plans to show at least 5 ft from the building wall to any part of the property line.

28. Required loading facilities shall comply with MGO Section 28.141(13). Provide 2 10' x 50' loading areas with 14' vertical clearance to be shown on the plan. The loading areas shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.

29. All building facades visible from a public street or public walkway should employ materials and design features similar to or complementary to those of the front facade. This includes the north façade and portions of the east façade.

30. New buildings of more than forty (40) feet in width shall be divided into smaller increments, through articulation of the facade. This can be achieved through combinations of including but not limited to the following:

- a. Facade Modulation. Stepping back or extending forward a portion of the facade.
- b. Vertical divisions using different textures or materials (although materials shall be drawn from a common palette).
- c. Division into storefronts, with separate display windows and entrances.
- d. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.
- e. Arcades, awnings, and window bays at intervals equal to the articulation interval.

31. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district per Section 28.142(9)(d).

Please contact Jeffrey Heinecke of the Forestry Section at (608) 266-4890 if you have any questions regarding the following three (3) items:

32. City Forestry will issue a street tree removal permit for 3 Honeylocust trees with diameters of 16", 17", and 15" due to poor form. There locations are as followed: 1 tree west of proposed driveway and 2 trees east of the driveway. The Contractor shall contact City Forestry at (608)266-4816 to obtain permit. Add as a note on both the demolition and site plan.

33. Terraced Excavation For Street Tree Planting: This includes all work necessary to excavate areas within grass terraces to an appropriate depth suitable for new tree plantings. All work shall be in accordance with article 201 of the standard specifications. The contractor shall coordinate with the engineer and forestry representative to select the appropriate locations for tree plantings to be completed.

Once the locations marked, the contractor shall excavate the terrace area to a suitable depth for new tree plantings, approximately twenty (20) inches to twenty-four (24) inches. The terrace shall be excavated to a minimum length of twenty (20) feet, but that may be reduced by the construction engineer to fit site constraints as necessary. The width of the terrace shall also be excavated to as close to the sidewalk/path and curb as is reasonable. While performing the excavation, the contractor shall take care to not undermine or damage the adjacent curb or sidewalk if damaged during the excavation process, the contractor shall replace curb or sidewalk/path at their cost.

Once the area is excavated, the contractor shall backfill the excavated area with regular topsoil, and the surface shall be restored with seed and erosion mat.

34. 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.

Please contact Jeff Belshaw of the Water Utility at (608) 261-9835 if you have any questions regarding the following two (2) items:

35. Proposed water valve should not be located in the sidewalk or curb and gutter.

36. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working days notice between the application submittal and the requested installation or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumbers-contractors>), otherwise they may be obtained from the Water Utility Main Office at 119 E Olin 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. A Water Meter Application Form will subsequently be required to size & obtain a water meter establish a Water Utility customer account and/or establish a Water Utility fire service account. If you have questions regarding water service applications, please contact Madison Water Utility at (608) 266-4646.

Please contact Timothy Sobota of Metro Transit at (608) 261-4289 if you have any questions regarding the following two (2) items:

37. Metro Transit operates daily all-day transit service along Commercial Avenue and Packers Avenue near this property - with trips at least every 30 minutes (every 15 minutes or less during the day on weekdays and Saturdays). Additional service operates along East Johnson Street - with trips at least every 60 minutes (every 30 minutes or less on weekdays).
38. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 97 Weekday & 65 Weekend (average). Please contact Metro Transit if additional analysis would be of interest.

Please contact Julius Smith of the City Engineering Division – Mapping Section at (608) 264-9276 if you have any questions regarding the following seven (7) items:

39. Upon approval of the proposed Catch Basin and Storm Sewer Pipe lying within the 30' City of Madison Easement for Sanitary Sewer and Water Main per Doc No. 1848256, a Consent to Occupy Easement document shall be drafted and recorded by City of Madison Office of Real Estate Services defining responsibilities and requirements in conjunction with the proposed improvements. Coordinate with Jule Smith at jsmith4@cityofmadison.com

40. Coordinate and request from the utility companies serving this area the easements required to serve this development.

41. The Owner on the application is not the current owner of record for the property. Provide the recorded conveyance of the parcel to the Owner noted on the application prior to final site plan sign off.

42. Confirm with Madison Gas & Electric the grade changes proposed within the their easement area per document 1856671

Additionally confirm and coordinate proposed grading at existing utility pole and guywire located on site and consider granting formal agreement for existing pole and wires.

43. Since this is a phased project, provide the boundary limits for the pavement for each phase.

44. The proposed 333 ft building has an address of 6334 Millpond Rd. The proposed 202 ft building has an address of 6346 Millpond Rd. The proposed 121 ft building has an address of 6358 Millpond Rd.

45. The site plan shall reflect the proper street addresses of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Please contact Trent Schultz of the Parking Utility at (608) 246-5806 if you have any questions regarding the following one (1) item:

46. The agency reviewed this project and determined a Transportation Demand Management (TDM) Plan is not required.

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

1. After the plans have been revised per the above conditions, please submit one (1) complete digital plan set in PDF format and any other supporting materials that are necessary, as specified in this letter to sprapplications@cityofmadison.com (note: A 20MB email limit applies and multiple transmittals may be required). 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. A check for the site plan review fee shall be mailed to the City of Madison Building Inspection Division; PO Box 2984; Madison, WI 53701-2984.

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. The conditional use 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.
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 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 243-0554 or lmcnabola@cityofmadison.com.

Sincerely,



Lisa McNabola
 Planner

cc: Jacob Moskowitz, Zoning
 Sean Malloy, Traffic Engineering
 Julius Smith, Engineering Mapping
 Tim Sobota, Metro Transit
 Trent Schultz, Parking Utility
 Jeff Belshaw, Water Utility
 Jeffrey Heinecke, Forestry
 Brenda Stanley, Engineering Division

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

Signature of Applicant

Signature of Property Owner (if not the applicant)

LNDUSE-2024-00035			
For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div.	<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 type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry, Parking