Department of Planning & Community & Economic Development
Planning Division
Meagan Tuttle, Director

Madison Municipal Building, Suite 017
215 Martin Luther King Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4635
www.cityofmadison.com

October 8, 2024

Thomas B. Sanford
Sanford Enterprises, Inc.
437 S Yellowstone Drive, Suite 203
Madison, Wisconsin 53719

RE: Consideration of a conditional use in the Commercial Center (CC) District for dwelling units in a mixed-use building to allow construction of a two-story, mixed-use building with roughly 3,000 square-feet of commercial space and two apartments at 6910 Seybold Road. [LNDUSE-2024-00073; ID 84828]

Dear Thomas B. Sanford;

At its October 7, 2024 meeting, the Plan Commission **approved** your conditional use request for the project located at 6910 Seybold Road. Prior to issuance of building permits for the project, the conditions of approval in the following sections shall be satisfied:

Major/Non-Standard Conditions are Shaded

Please contact Timothy Troester of the City Engineering Division–Main Office at (608) 267-1995 if you have any questions regarding the following 12 items:

1. Direct connection to the storm system is required. Storm shall either be extended up Seybold Road from Gammon at the Developer's expense or the existing private storm serving the corner lot shall be extended to serve this lot and a cross lot drainage easement and maintenance agreement shall be presented to City Engineering and recorded at the Dane Co register of Deeds against the parcels.

2. 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)

3. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

4. 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.

5. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.

6. This site appears to disturb less than one (1) acre of land. No submittal to the WDNR, CARPC or Department of Safety and Professional Services (DSPS) is required as the City of Madison Building Inspection Department is an approved agent for DSPS.

7. Provide an ownership/maintenance agreement (recorded) for the private sewer main prior to CSM/plan approval. (Policy)

8. Revise the plans to show a proposed private internal drainage system on the site. Include the depths and locations of structures and the type of pipe to be used. (POLICY AND MGO 10.29)

9. Revise the plans to identify the location of the public storm sewer (proposed or existing) that will serve the development show the connection of the private internal drainage system to the public storm sewer. (POLICY AND MGO OVER 10,000 SF OF IMPERVIOUS AREA 10.29 and 37.05(7)(b))

10. 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.

11. 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.

TSS Redevelopment not TMDL: Reduce TSS by 40% (control the 20-micron particle) off of new paved surfaces as compared to no controls.

TSS Redevelopment with TMDL: Reduce TSS by 80% off of the proposed development when compared with the existing site.

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.

12. 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 City Engineering Division–Mapping Section, at (608) 266-4097 if you have questions regarding the following seven (7) items:

13. Add text referring to Doc. No. 5502695 to the Private Sanitary Sewer Easement and the Private Water Easement labels. Also add Doc. No. 5502695 to the Access Easement label.

14. Add a note to the plans that the site is subject to a Declaration of Storm Water Easement per Document No. 5502693.

15. Remove the reference to the 15' Wide Highway Slope Easement. The cited Doc No 1194091 is not an easement, the actual easement is per Award of Damages per Document No. 1161075 and expired when the Beltline and Gammon Road interchange was completed in the later 1960's.

16. A pylon sign is proposed within the ATC easement per Doc 4839248. Per the terms of the easement any structure or improvement within the easement requires written consent from ATC. Provide proof of the consent for the sign pylon within the easement area.

17. Clarify the Highway Setback note origins. This area was never platted that would have required a setback.

18. Street tree planting plan sheet A0.0 is using a prior proposed building. Update the site plan to show the current proposed building.

19. The address of the proposed grocery store is 6910 Seybold Rd, the first upper apartment (northerly apt) is 6912 Seybold Rd and the second upper apartment (southerly apt) is 6914 Seybold Rd. 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.

Please contact Luke Peters of the Traffic Engineering Division at (608) 266-6543 if you have any questions regarding the following 11 items:

20. 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.

21. 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.

22. 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.

23. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

24. All bicycle parking adjacent pedestrian walkways shall have a 2-foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

25. 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.

26. Per Section MGO 12.138 (14), this project is not eligible for residential parking permits. It is recommended that this prohibition be noted in the leases for the residential units.

27. The applicant shall adhere to all vision triangle requirements as set in MGO 27.05 (No visual obstructions between the heights of 30 inches and 10 feet at a distance of 25 feet behind the property line at streets and 10 feet at driveways.). Alteration necessary to achieve compliance may include but are not limited to; substitution to transparent materials, removing sections of the structure and modifying or removing landscaping elements. If applicant believes public safety can be maintained they shall apply for a reduction of MGO 27.05(2)(bb) – Vision Clearance Triangles at Intersections Corners. Approval or denial of the reduction shall be the determination of the City Traffic Engineer.

28. The applicant shall provide a clearly defined 5’ walkway, from the front door to the public sidewalk, 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.

29. Applicant shall submit for review a waste removal plan. This shall include vehicular turning movements.

30. Applicant shall submit for review a Commercial Delivery Plan. This plan will include times, vehicle size, use of loading zones and all related turning movements.

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

31. The applicant shall receive final approval of a Transportation Demand Management (TDM) Plan, occurring after Plan Commission and Common Council approval of the project. TDM Plan review fees will be required as part of final site plan review sign off.

Please contact Jenny Kirchgatter of the Zoning Division at (608) 266-4429 if you have any questions regarding the following seven (7) items:

32. It appears an existing abandoned ground sign is located at the northeast corner of the property. The abandoned sign must be removed prior to issuance of permits.

33. Reduce the amount of spandrel glass shown at the ground floor of the primary street façade (south elevation) to a maximum of 20% of the required area of the window and door openings. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior. Spandrel glass that mimics the appearance of windows may be used for up to twenty percent (20%) of the required area of the openings.

34. 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 ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.

35. Provide details showing that the primary street façade meets the door and window opening requirements of Section 28.060(2)(d). For nonresidential uses at ground floor level, windows and doors or other openings shall comprise at least sixty percent (60%) of the length and at least forty percent (40%) of the area of the ground floor of the primary street facade. At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. On upper stories, window or balcony openings shall occupy a minimum of fifteen percent (15%) of the upper-story wall area.

36. Submit a detail of the proposed rooftop mechanical screening. 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).

37. 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.

38. 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 Matt Hamilton of the Madison Fire Department at (608) 266-4457 if you have any questions regarding the following item:

39. A fire alarm system and an automatic fire suppression system is required. Ensure contractors submit applications for work permits along with construction documents for all fire protection and/or life safety systems as specified in MGO 34.02, to the Madison Fire Department for approval prior to installation.

Please contact Ann Freiwald of the Parks Division at (608) 243-2848 if you have any questions regarding the following item:

40. Park Impact Fees (comprised of the Park Infrastructure Impact Fee, per MGO Sec. 20.08(2)), and Park-Land Impact Fees, per MGO Sec. 16.23(8)(f) and 20.08(2) will be required for all new residential development associated with this project. This development is within the West Park-Infrastructure Impact Fee district. Please reference ID# 24051 when contacting Parks about this project.

Please contact Brad Hofmann of the Parks Division–Forestry Section at (608) 267-4908 if you have questions regarding the following item:

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

42. 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.

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

43. Metro Transit operates daily all-day transit service along Gammon Road near this property - with trips at least every 30 minutes. Metro Transit operates additional daily all-day transit service along Watts Road near this property - with trips at least every 60 minutes (every 30 minutes or less during the day on weekdays).

44. Metro Transit would initially estimate the following counts of potentially eligible trips towards US Green Building Council/LEED Quality Access to Transit points: 67 Weekday & 51 Weekend. Please contact Metro Transit if additional analysis would be of interest.

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 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.

3. The 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 since approval of the conditional use and approval 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 12 months from the expiration date.

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 building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at cwells@cityofmadison.com or (608) 261-9135.

Sincerely,

Chris Wells
Planner

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

_____

Signature of Applicant

_____

Signature of Property Owner (if not the applicant)

cc: Timothy Troester, City Engineering Division
Jeff Quamme, City Engineering Division – Mapping
Luke Peters, Traffic Engineering Division
Trent Schultz, Parking Utility
Jenny Kirchgatter, Zoning
Matt Hamilton, Fire Department
Brad Hofmann, Forestry Section
Ann Freiwald, Parks Division
Jeff Belshaw, Water Utility
Tim Sobota, Metro Transit

LNDUSE-2024-00073			
For Official Use Only, Re: Final Plan Routing			
☒	Planning Div. (Wells)	☒	Engineering Mapping Sec.
☒	Zoning Administrator	☒	Parks Division
☒	City Engineering	☐	Urban Design Commission
☒	Traffic Engineering	☐	Recycling Coor. (R&R)
☒	Fire Department	☒	Water Utility
☒	Metro Transit	☒	Other: Forestry