



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

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March 11, 2014

Todd Mosher  
Atwell, LLC  
1245 E. Diehl Road, Suite 100  
Naperville, Illinois 60563

RE: Approval of a conditional use to allow for new and expanded outdoor display, outdoor storage, and temporary outdoor events areas for an existing home improvement store at 4550 Verona Road (The Home Depot).

Dear Mr. Mosher:

At its February 24, 2014 meeting, the Plan Commission, meeting in regular session, approved your client's request for a conditional use at 4550 Verona Road to allow for new and expanded outdoor display, outdoor storage, and temporary outdoor events areas. In order to receive final approval of the conditional use and for any permits to be issued, the following conditions shall be met:

**Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have questions regarding the following three (3) items:**

1. The applicant shall submit one contiguous plan for approval. The plan drawing shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; 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 2 feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
2. The applicant shall maintain 10-foot vision triangle at all ingress and egresses.
3. All parking facility design shall conform to the standards in MGO Section 10.08(6).

**Please contact Patrick Anderson, Assistant Zoning Administrator, at 266-5978 if you have questions regarding the following six (6) items:**

4. A temporary use permit shall be required for each event. Work with Pat Anderson in Zoning for application requirements.

5. Previous approved plans provided outdoor display without limitation on time of display (24 hours per day was allowed). Section 28.151 of the current Zoning Code limits outdoor display not to exceed 16 hours per day. Existing outdoor display areas approved under the 1999 site plan may remain without a daily time limit. Any new outdoor display areas shall be limited to display for no more than 16 hours per day. Clearly identify pre-existing outdoor display areas (no time limit) and proposed new outdoor display areas limited to 16 hours per day on the final submitted site plan.
6. No material or items, including sheds, trailers or similar items for sale and or display, shall be placed in the parking lot outside of designated outdoor display or temporary outdoor event areas.
7. Meet all Supplemental Regulations pursuant to Section 28.151 for outdoor display, outdoor storage and temporary outdoor events.
8. 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 prior to sign installations. Banners, pennants, temporary signs, portable signs etc. are not approved as a part of this project.
9. Exterior lighting provided shall be in accordance with MGO Section 10.085. Provide an exterior lighting plan and fixture cut sheets, with the final plan submittal.

**Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have questions regarding the following item:**

10. Develop an annual training program that requires store managers and assistant managers to review permitted storage locations and arrangements based on approved documents for both exterior and interior operations.

**Please contact my office at 261-9632 if you have questions regarding the following five (5) items. Please note that condition 13 below includes the modifications approved by the Plan Commission at their February 24, 2014 meeting.**

11. That the approximate exterior dimensions of each of the outdoor areas be shown on the plan per the approval of Planning and Zoning staff prior to final sign off and commencing use of the approved areas.
12. That the "approved display area" adjacent to the front of the store be revised to reflect the existing site plan. The approved plan provides just over 5 feet of clear sidewalk between the edge of the display area and the edge of the "customer drop-off lane."
13. The Plan Commission determined that per MGO Section 33.24(4)(f)(2)c that there were unique or unusual circumstances that warranted special consideration to achieve a superior design solution and waived the requirement for an eight-foot wide clear path along the length of the front of the building. The Plan Commission required that a minimum 5-foot wide clear path be provided along the length of the front of the building. Details shall be approved by Planning, Zoning, and the Traffic Engineering staff prior to final sign off and commencing use of the approved areas.
14. That the plans be revised to define the area at the northeastern corner of the store near the tool rental section subject to final approval by the Planning Division and Zoning Administrator.

15. That the details of any temporary fencing and any fabric screening inserts for a fence enclosure of the parking lot outdoor event area be approved by the Planning Division prior to installation/ use.

**Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:**

16. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

**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 to address any of the comments or conditions listed above, please file **eight (8) sets** 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 with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. 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 prior to the issuance of building permits.
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. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, the Zoning Administrator following consideration by the alderperson of the district, may approve 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 Plan Commission and the conditional use standards. This approval shall become null and void one (1) year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within 6 months of the issuance of said building permit. 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 24 months from the expiration date. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your conditional use, demolition 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 267-1150.

Sincerely,

Timothy M. Parks  
Planner

cc: Janet Dailey, City Engineering Division  
Eric Halvorson, Traffic Engineering Division  
Pat Anderson, Assistant Zoning Administrator  
Dennis Cawley, Madison Water Utility  
Bill Sullivan, Madison Fire Department

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 Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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"/>	Other: