



Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, AICP, Director

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February 13, 2017

Rachel Holloway
JSD Professional Services, Inc.
161 Horizon Drive, Suite 101
Verona, Wisconsin 53593

RE: Approval of a request to rezone property and modify restrictive covenants for 4246 Daentl Road, Town of Burke, to allow additional outdoor display of recreational equipment for MadCity Power Sports in satisfaction of the development review provisions in the Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan.

Dear Ms. Holloway;

At its February 6, 2017 meeting, the Plan Commission **approved** your client's development request subject to the conditions that follow. By copy of this letter, the City of Madison requests that these conditions be incorporated into the requests you have pending before the Town of Burke and Dane County, who are copied on this letter.

1. The applicant shall submit an amendment to the restrictive covenant with the City of Madison, recorded as Document No. 4623768 on January 5, 2010, for approval by the Planning Division prior to recording at the Dane County Register of Deeds. The amended covenant shall address the following: That the portion of Lot 1 located north of Token Creek shall be restricted to allow no construction of any permanent or temporary buildings unless approved by the City of Madison, and further, shall limit the use of said land to the display of recreational equipment and storage buildings as approved by the City. A site plan for the display area showing the general placement of the recreational equipment and storage buildings shall be submitted for approval by the Planning Division and recorded with the amended restrictive covenant.
2. The applicant shall comply with Section 28.142 of Madison General Ordinances, Landscaping and Screening Requirements. Submit a landscape plan and landscape worksheet stamped by the registered landscape architect for the area to be rezoned with this request. Compliance with the approved landscaping plan shall be established in the amended restrictive covenant required as part of this approval.
3. Per Wisconsin Admin. Code NR-151.125, the applicant shall show no proposed impervious (including gravel) use within 50 feet on either side of the normal high water level of Token Creek. This area is the protective area setback for Token Creek. The protective setback shall be shown on the site plan required in condition #1 above.

4. The applicant shall comply with MGO Chapter 37, the Public Stormwater System Including Erosion Control Ordinance, for the area to be rezoned with this request, as required by the City Engineer. For more information on this requirement, please contact Brenda Stanley of the City Engineering Division at 261-9127. Compliance with this condition and any implementation required by the City Engineer shall be established in the amended restrictive covenant required as part of this approval.
5. The applicant is advised to contact the American Transmission Company. The existing 50-foot wide Electrical Transmission Easement per Document No. 1739386 requires written approval prior to any erection of structures or other objects, permanent or temporary within the easement area that traverses this area. For more information on this requirement, please contact Jeff Quamme of the City Engineering Division at 266-4097.
6. Prior to final sign-off, the applicant shall submit the plan to the Wisconsin Department of Transportation for review. For more information on this requirement, please contact Eric Halvorson of the City's Traffic Engineering Division at 266-6527.
7. The applicant shall submit one contiguous plan for approval showing proposed conditions and one contiguous plan showing existing conditions. 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.
8. All parking facility design shall conform to the standards in MGO Section 10.08(6).
9. That there be no lighting of the outdoor display area subject to this rezoning, as required by the City Plan Commission.

In order to finalize this approval, the applicant shall submit a draft amendment to the restrictive covenant that addresses the above conditions of approval along with one (1) paper copy and one (1) digital plan set in PDF format of the complete, fully dimensioned, and to-scale plan(s) required herein, and any other documentation requested to the City of Madison Planning Division for final review and approval. The final approved restrictive covenant and site plan shall be recorded with the Dane County Register of Deeds.

The Town of Burke shall not grant any development approvals inconsistent with the City of Madison's approval of this development request.

No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Director of Planning and Community and Economic Development may approve alterations compatible with the concept approved by the Plan Commission in a manner consistent with his/her review and approval of plan alterations occurring in the City subject to its Zoning Code, Chapter 28, MGO.

LNDUSE-2016-00141
4246 Daentl Road
February 13, 2017
Page 3

If you have any questions about this approval, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Roger Lane, Dane County Zoning Administrator (by e-mail only)
Brenda Ayers, Town of Burke Administrator/Clerk (by e-mail only)
Brenda Stanley, City of Madison Engineering Division
Jeff Quamme, City of Madison Engineering Division–Mapping Section
Eric Halvorson, City of Madison Traffic Engineering Division
Matt Tucker, City of Madison Zoning Administrator