



Department of Planning & Community & Economic Development

## Planning Division

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March 24, 2017

Alexander H. Li  
Genesis Commons, LLC  
411 Orchard Drive  
Madison, WI 53711

RE: Legistar #'s 45723 & 45657 -- Approval of a rezoning of **4904 Tradewinds Parkway** from the Industrial Limited (IL) District to the Suburban Employment (SE) District as well as approval of an alteration to a conditional use for a college or university tenant at **4904 Tradewinds Parkway**.

Dear Mr. Li:

At its March 21, 2017 meeting, the Common Council, meeting in regular session, found the standards met and **approved** your client's request for a zoning map amendment for **4904 Tradewinds Parkway**, rezoning the property from IL (Industrial Limited District) to SE (Suburban Employment District). At its March 6, 2017 meeting, the Plan Commission, meeting in regular session, found the standards met and **approved** your client's request for a college or university tenant at **4904 Tradewinds Parkway**. In order to receive final approval of the rezoning and conditional use, and for any permits to be issued for your project, the following conditions shall be met:

**Please contact Brenda Stanley, City Engineering, at 261-9127 if you have any questions regarding the following seventeen (17) items:**

1. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the WDNR in order to comply with TMDL limits.
2. The Applicant shall submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division with any private storm and sanitary sewer utilities. The digital CAD file shall be to scale and represent final construction. The CAD file shall be in a designated coordinate system (preferably Dane County WISCRS, US Ft). The single CAD file submittal can be either AutoCAD (dwg) Version 2013 or older, MicroStation (dgn) V8i Select Series 3 or older, or Universal (dxf) format and shall contain the only the following data, each on a separate layer name/level number:
  - a) Building Footprints
  - b) Internal Walkway Areas

- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Private on-site sanitary sewer utilities (including all connections to public sanitary)
- k) Private on-site storm sewer utilities (including all connections to public storm)

All other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email CAD file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement, private on-site sanitary sewer utilities, or private on-site storm sewer utilities during construction will require a new CAD file.

3. The applicant shall 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](mailto:bstanley@cityofmadison.com) (East) or [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2))

PDF submittals shall contain the following information:

- a) Building Footprints
- b) Internal Walkway Areas
- c) Internal Site Parking Areas
- d) Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
- e) Right-of-Way lines (public and private)
- f) Lot lines or parcel lines if unplatted
- g) Lot numbers or the words unplatted
- h) Lot/Plat dimensions
- i) Street names
- j) Stormwater Management Facilities
- k) Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

4. The Applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files including:
  - a) SLAMM DAT files
  - b) RECARGA files
  - c) TR-55/HYDROCAD/Etc
  - d) Sediment loading calculations. 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. (POLICY and MGO 37.09(2))
5. This project appears to require construction dewatering. A dewatering plan shall be submitted to City Engineering as part of the Erosion Control Permit application and plan. If contaminated soil or groundwater conditions exist on or adjacent to this project additional WDNR, Public Health, and/or City Engineering approvals may be required prior to the issuance of the required Erosion Control Permit.
6. 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. Include copies of all stormwater, utility, and detail plan sheets that contain stormwater practices on 8.5x14 size paper in the draft document. These drawings do not need to be to scale as they are for informational purposes only. Once City Engineering staff have reviewed the draft document and approved it with any required revisions submit a signed and notarized original copy to City Engineering. Include a check for \$30.00 made out to Dane County Register of Deeds for the recording fee. City Engineering will forward the document and fee for recording at the time of issuance of the stormwater management permit. Draft document can be emailed to Tim Troester (west) at [ttroester@cityofmadison.com](mailto:ttroester@cityofmadison.com), or Jeff Benedict at [jbenedict@cityofmadison.com](mailto:jbenedict@cityofmadison.com) final document and fee should be submitted to City Engineering.
7. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year.
8. 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/constrformsinfo.htm> (NOTIFICATION)
9. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to detain the 2, 10, & 100 -year storm events, matching post development rates to predevelopment rates.

10. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to reduce TSS by 80% (control the 5 micron particle) off of newly developed areas compared to no controls.
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 provide infiltration in accordance with Chapter 37 of the Madison General Ordinances.
12. Complete an erosion control plan and 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.
13. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. MGO 37.05(7) This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
14. The site plan shall be revised 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)
15. The Applicant shall replace all sidewalk and curb and gutter which abuts the property which is damaged by the construction or any sidewalk and curb and gutter which the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction. (POLICY)
16. All work in the public right-of-way shall be performed by a City licensed contractor. (MGO 16.23(9)(c)5) and MGO 23.01)
17. All damage to the pavement on Trade Winds Pkwy, adjacent to this development shall be restored in accordance with the City of Madison's Pavement Patching Criteria. For additional information please see the following link: <http://www.cityofmadison.com/engineering/patchingCriteria.cfm> (POLICY)

**Please contact Jeff Quamme, Engineering Mapping, at 266-4097 if you have any questions regarding the following three (3) items:**

18. The site plan is noting an incorrect Lot number. The Lot number shall be corrected to be LOT 10 of Genesis Plat.
19. The site plans shall show and label the 65' Wide Private Stormwater Management Easement and the 50' Highway Setback line as per the plat of Genesis.
20. Since this will be a multi tenant building, submit a PDF of all floor plans to [lzenchenko@cityofmadison.com](mailto:lzenchenko@cityofmadison.com) so that a preliminary interior addressing plan can be developed prior to plans being submitted for permit review. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during, or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.

**Please contact Eric Halvorson, Traffic Engineering, at 266-6527 if you have any questions regarding the following seven (7) items:**

21. The applicant has submitted a plan showing future parking, provide a plan clearly delineating what the applicant intends to build with this site plan.
22. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing Existing conditions for approval. The plan drawings 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 two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
23. 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.
24. 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.
25. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
26. 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.
27. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.

**Please contact Jenny Kirchgatter, Assistant Zoning Administrator, at 266-4429 if you have questions regarding the following thirteen (13) items:**

28. Redesign the parking lot so that the majority of off-street parking is located to the rear or side of the principal building. Parking stalls that may be installed in the future may not count toward the current parking majority that is located to the side or rear of the building.
29. The proposed building shall meet the minimum height requirement of 22 feet measured to the building cornice.
30. Clearly show the proposed parking stalls that will be installed with the current construction. The parking lot must be constructed to meet all City of Madison requirements. Future project phases, including additional parking stalls proposed in the future will require separate City of Madison approvals.

31. Show the front setback dimension measured to the parking lot. A maximum of one drive aisle and two rows of parking, not to exceed seventy (70) feet of parking, may be located between the front of the principal building and the street, set back at least twenty-five (25) feet from the front lot line.
32. Parking is proposed in excess of the maximum number of spaces. Per Table 28I-3 Off-Street Parking Requirements, the automobile parking maximum for colleges and universities is one (1) parking space per classroom plus one (1) per three (3) students based on the maximum number of students attending classes at any one time (22 stalls). The parking maximum for offices is one (1) parking space per 250 sq. ft. floor area (11 stalls). The total maximum number of stalls is 33 stalls. The Zoning Administrator may approve an increase of up to twenty (20) spaces above the maximum requirement. Submit an application for a Parking Adjustment and supporting documentation per section 28.141(6)(c) with the final plan submittal.
33. Provide a bike rack detail.
34. Required loading facilities shall comply with MGO Section 28.141(13). Provide one (1) 10' x 35' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space. The required number of loading spaces may be reduced through conditional use approval.
35. Submit the approved Traffic Demand Management plan. The Traffic Demand Management plan is to be approved by the Traffic Engineer and to be kept on file with the Zoning Administrator.
36. 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.
37. Submit a detail 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.
38. Submit a rooftop plan showing the location of any proposed rooftop mechanical equipment and 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).
39. 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.
40. 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 Bill Sullivan, Fire Department, at 261-9658 if you have any questions regarding the following item:**

41. Provide a fire lane that extends to within 150-feet of all exterior portions of the structure, or it can be extended to within 250-feet if the building has a fire sprinkler system. As shown, the current proposed fire lane is not with 250-ft of all portions of the building and would need to be accommodated on site if the future building addition is constructed.

**Please contact Janet Schmidt, Parks/Forestry, at 261-9688 if you have any questions regarding the following item:**

42. It is understood that the project no longer contemplates extended stay use and will be hotel rooms, limited to a maximum stay of 30 days. If this proposal changes the project will be reviewed for Park Impact Fees.

**Please contact Adam Wiederhoeft, Water Utility, at 266-9121 if you have any questions regarding the following five (5) items:**

43. All operating private wells shall be identified and permitted by the Water Utility in accordance with MGO 13.21. All unused private wells shall be abandoned in accordance with MGO 13.21.

This property is in a Wellhead Protection District–Zone (31). This proposed use is permitted by the Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative.

44. 47. This property is in a Wellhead Protection District–Zone (WP-31). The owner shall provide the Madison Water Utility with evidence that no hazardous and/or toxic materials will be stored on site, and that all proposed uses of this site comply with the City of Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative. Contact Adam Wiederhoeft at [awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) for additional information, including a summary of the submittal requirements.
45. This property appears to have an outstanding special assessment balance associated with the original water main installation (installed in 2013). Additionally, the proposed water service connection to the existing 8-inch water lateral requires settlement of an outstanding collect upon connection charge. Outstanding balances for water main assessments and existing lateral connections are based on original installation cost and applicable bond interest, payable to Madison Water Utility. Contact Adam Wiederhoeft at [awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) to determine the final water main assessment and existing water lateral connection fees.

Prior to connecting to the existing water system, a Water Meter/Water Service Application Form and full payment of all outstanding fees, including outstanding water main assessments and collect upon connection lateral fees, must be submitted to Madison Water Utility. Provide at least 48-hour notice between the application submittal and the requested connection and/or inspection appointment. Application materials are available on the Water Utility's Plumbers & Contractors website (<http://www.cityofmadison.com/water/plumberscontractors>), 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. If you have questions regarding water service applications, please contact Madison Water Utility Engineering Section at (608) 266-4646.

46. The site plan(s) shall be revised to show all existing public water mains, valves, hydrants and service laterals in the project area as well as identify the diameters of the existing water mains and laterals.
47. Madison Water Utility will be required to sign off on the conditional approval review associated with this Land Use Application/Site Plan Review prior to the issuance of building permits for the proposed development.

**Please contact Tim Sobota, Metro Transit, at 261-4289 if you have any questions regarding the following four (4) items:**

48. The proposed development is outside Metro Transit's service area during the day on weekdays. The closest bus stop with scheduled all-day bus service on weekdays is just over one mile walking distance.
49. The pedestrian access between this site and the scheduled all-day bus service on weekdays - located on Agriculture Drive north of World Dairy Drive, north of the Beltline Highway - does not have existing sidewalk connectivity for the segment of Agriculture Drive north of Femrite Drive.
50. The applicant shall include accessible transportation alternatives that will be made available to users of the property in a TDM plan, filed with their permit application, so that Metro Transit may review and approve that these private measures will compensate for the inability of the City to currently provide sufficient transit service at this site - in accordance with the proposed use.
51. Metro Transit does provide limited transit service, once an hour, along Agriculture Drive at the Tradewinds Parkway intersection. These trips only operate prior to 10am, and after 4pm on weekdays.

**Please contact my office at 261-9135, if you have questions regarding the following three (3) items:**

52. The applicant shall satisfy the landscaping requirements as they apply to the screening of parking and service areas in Urban Design District #1 with details to be approved by the Urban Design Commission and Planning Staff for final signoff. [MGO §33.24(8)(c)5.a.]
53. The applicant shall gain approval for the use of metal on the building's exterior [that it is an integral part of a design of exceptional merit] from the Urban Design Commission and Planning Staff for final signoff. [MGO §33.24(8)(c)6.a.v.]
54. The applicant shall meet all highway noise mitigation provisions related to development adjacent to a state or federal highway as outlined by MGO §16.23(3)(d) and Wisconsin Administrative Code Chapters 233 and 405 (aka Trans. 233 and Trans. 405).



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

**The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of building permits. Please contact Jessica Vaughn, Interim Urban Design Commission Secretary, at 267-8733 if you have any questions about those conditions.**

**Please now follow the procedures listed below for finalizing your approval:**

1. Please revise your plans per the above conditions and submit **eleven (11) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by 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, 126 S. Hamilton Street. This submittal shall all also include one complete digital plan set in PDF format. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is in a Wellhead Protection District–Zone (31). This proposed use is permitted by the Madison Wellhead Protection Ordinance. Any future change in use for this property will require review by the Madison Water Utility General Manager or his designated representative.
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. No alteration of a conditional use shall be permitted unless approved by the Plan Commission provided, however, 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, 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 261-9135.

Sincerely,



Chris Wells  
Planner

cc: Brenda Stanley, City Engineering  
Jeff Quamme, Engineering Mapping  
Eric Halvorson, Traffic Engineering  
Jenny Kirchgatter, Asst. Zoning Administrator  
Bill Sullivan, Fire Department  
Janet Schmidt, Parks/Forestry  
Adam Wiederhoeft, Water Utility  
Tim Sobota, Metro Transit  
Jessica Vaughn, Urban Design Commission

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

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" 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 checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit		