



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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July 30, 2018

Robert Feller  
Iconica  
901 Deming Way, Suite 102  
Madison, WI 53717

RE: Legistar IDs # 52081 & 51769 | Accela ID: 'LNDUSE-2018-00054' -- Approval for a rezoning from the Traditional Residential - Varied 1 (TR-V1) Zoning District to the Commercial Corridor - Transitional (CC-T) Zoning District, for a Conditional Use to construct a bank with a vehicle access sales and service window; and 3) a Conditional Use for nonresidential development immediately adjacent to the boundary of a City-owned public park at 2430 Frazier Avenue.

Dear Mr. Feller:

At its July 24, 2018 meeting, the Common Council **approved** your client's request to rezone property at 2430 Frazier Avenue from Traditional Residential - Varied 1 (TR-V1) Zoning District to the Commercial Corridor - Transitional (CC-T) Zoning District to construct a bank with a vehicle access sales and service window.

At its July 16, 2018 meeting, the Plan Commission approved the related conditional use requests, contingent on Council approval of the rezoning mentioned above. In order to receive final approval of the rezoning and conditional use requests, and for any necessary permits to be issued for your project, the following conditions shall be met:

**Please contact Brenda Stanley, City Engineering Division, at (608) 261-9127) if you have questions regarding the following fourteen (14) items:**

1. The developer shall show that all drainage from the site will be discharged to the public storm sewer, as shown on the plans, in Frazier Ave.
2. The proposed bio retention basins are shown in the right of way. Modify design to have basins on the parcel and not within the right of way.
3. All outstanding 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))

4. 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 either: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [troester@cityofmadison.com](mailto:troester@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.

5. 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 [troester@cityofmadison.com](mailto:troester@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).

6. 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 Section 37.09(2), MGO).
7. 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.
8. 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.
9. For Commercial sites < 1 acre in disturbance the City of Madison is an approved agent of the Department of Commerce and WDNR. As this project is on a site with disturbance area less than one (1) acres, and contains a commercial building, the City of Madison is authorized to review infiltration, stormwater management, and erosion control on behalf of the Department of Commerce. No separate submittal to Commerce or the WDNR is required. (NOTIFICATION)
10. This project will require a concrete management plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. (POLICY)
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 Reduce TSS by 80% off of the proposed development when compared with the existing site (Redevelopment TMDL).
12. 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 oil/grease control for the first 1/2 inch runoff from the proposed asphalt drive (drive up window).
13. The construction of this project will require that the applicant shall obtain a permit to excavate in the right-of-way for the required public infrastructure improvements. The permit shall include conditions requiring surety to guarantee the construction of the improvements and deposits to reimburse for City expenses. The applicant shall contact City Engineering to schedule the development of the plans and permit conditions. The City Engineer will not sign off on this project without the permit to excavate in the right-of-way.
14. The Applicant shall Construct Sidewalk and driveway apron to a plan approved by the City. The new sidewalk shall be shifted to 1' off the property line. The sidewalk shall extend across the entire property line.

**Please contact Jeff Quamme, City Engineering Division - Mapping, at (608) 266-4097 if you have questions regarding the following item:**

15. Grade changes are proposed where existing fiber optic facilities exist. The Applicant is responsible to coordinate with the utilities and obtain permission to change the grade prior to any construction.

**Please contact Sean Malloy, Traffic Engineering Division, at (608) 266-5987 if you have questions regarding the following six (6) items:**

16. 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.
17. 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.
18. 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.
19. All parking facility design shall conform to MGO standards, as set in section 10.08(6).
20. 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.
21. The applicant shall provide a queuing model showing the capacity for 6 vehicles from the order board and 3 additional vehicles from the service window. If the 6 vehicle requirement is not able to be met a second queuing lane may be required.

**Please contact Jenny Kirchgatter, Zoning Division, at (608) 266-4429 if you have questions regarding the following eleven (11) items:**

22. 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 façade (plan North façade). At least fifty percent (50%) of windows on the primary street facade shall have the lower sill within three (3) feet of grade. 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 20% of the required area of the openings.
23. Development is proposed immediately adjacent to the boundary of a City-owned public park. The impact of the proposed development on natural resources, drainage patterns, pedestrian traffic and recreational uses of the park will be assessed. Removal of vegetation may be limited within thirty-five (35) feet of the park boundary.
24. Show the setback distance of the driveway access as measured to the West property line. For a site with a vehicle access sales and service window, points of vehicular ingress and egress shall be located at least sixty (60) feet from the intersection of two streets and at least sixty (60) feet from abutting residentially zoned property.
25. Show the setback distance of the drive-thru canopy as measured to the North property line. Vehicle access sales and service windows shall be at least sixty (60) feet from the closest point of any residentially zoned property or property with a residential building.
26. Relocate the proposed bicycle parking stalls to a convenient and visible area at least as close as the closest non-accessible automobile parking and within 100 feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Submit a detail showing the model of bike rack to be installed.
27. 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.
28. Provide adequate development frontage landscaping per Section 28.142(5) Development Frontage Landscaping. Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Note that landscaping must be installed on the private property.
29. Screening is required adjacent the Zoning district boundary along the North and West property lines. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans.

30. Per Supplemental Regulations Section 28.151 for Vehicle Access Sales and Service Windows, a six (6) foot buffer area with screen plantings and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.
31. 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.
32. 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 Sarah Lerner, Parks Division, at (608) 261-4281 if you have any questions regarding the following two (2) items:**

33. Additional street trees are needed for this project. All street tree planting locations and trees species within the right of way shall be determined by City Forestry. Please submit a site plan (in PDF format) to Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction –
34. Contractor shall contact City Forestry Brad Hofmann [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816 at least one week prior to planting to schedule inspecting the nursery stock and review planting specifications with the landscaper.

**Please contact Adam Wiederhoeft, Water Utility, at (608) 266-9121 if you have any questions regarding the following three (3) items:**

35. A Water Service Application Form and fees must be submitted before connecting to the existing water system. Provide at least two working day's 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/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. 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 my office at (608) 261-9135 if you have any questions regarding the following two (2) items (the second of which was added by the Plan Commission at their July 16, 2018 meeting):**

36. The following information is provided for the reference of the applicant because the site may be associated with Native effigy mounds and archaeological sites.

Burial Sites Preservation (§ 157.70):

(2r) Site Disturbance Prohibited. Except as provided under subs (4) and (5) and State Statute 157.111 and 157.112, no person may intentionally cause or permit the disturbance of a burial site or catalogued land contiguous to a catalogued burial site.

(3) Report of Disturbed Burial Sites. (a) Except as provided under s. 979.01, a person shall immediately notify the Wisconsin Historical Society (608-264-6502) if the person knows or has reasonable grounds to believe that a burial site or the catalogued land contiguous to a catalogued burial site is being disturbed or may be disturbed contrary to the requirements of subs. (4) and (5).

This site is known to be associated with archeological and historic resources. The Burial Sites Preservation statute requires that the property owner contact the Wisconsin Historical Society to discuss the location of the proposed project and any possible disturbance of an archaeological or historic resource before the work commences. During the construction work, if a burial site disturbance occurs, the work shall stop immediately until the Wisconsin Historical Society is able to assess the site.

37. In order to find conditional use Standards 3 and 9 are met, revisions to the site and landscape plan were found necessary to improve screening. In regards to the Urban Design Commission's consideration of final approval, the Plan Commission requested that the Urban Design Commission give consideration to an 8-foot wood fence as an alternative to the proposed 8-foot vinyl fence on the west lot line. Consideration should also be given to the maintenance of existing trees where possible, and the addition of trees along the west and north property lines. The revised landscape design was also recommended to not preclude a future access to Waunona Park, though providing such an access was not a condition of approval.

**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 uses:**

1. Please revise your plans per the above conditions and submit **nine (9) 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 not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
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 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 (608) 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 (608) 261-9135.

Sincerely,



Chris Wells  
 Planner

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

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*Signature of Applicant*

\_\_\_\_\_

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

- cc: Brenda Stanley, City Engineering  
 Jeff Quamme, Engineering Mapping  
 Sean Malloy, Traffic Engineering  
 Jenny Kirchgatter, Zoning Division  
 Sarah Lerner, Parks Division  
 Kay Rutledge, Parks Division

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 type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility		