



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

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215 Martin Luther King Jr. Boulevard  
Madison, Wisconsin 53703  
Phone: (608) 266-4635  
[www.cityofmadison.com](http://www.cityofmadison.com)

May 6, 2020

Audry Grill  
RINKA, Inc.  
756 N Milwaukee St, Suite 250  
Milwaukee, WI 53202

RE: Consideration of a request to rezone the properties located at 7718 Mineral Point Road from Temp A (Temporary Agricultural) and CC (Commercial Center) Districts to CC-T (Commercial Corridor-Transitional) District; a demolition permit to raze an existing single-family residence; and conditional use approvals - for a vehicle access sales and service window as well as for the reduction in the requirement to provide an off-street loading space. (LNDUSE-2020-00028; ID 60088 and 59703)

Dear Ms. Grill;

At its April 27, 2020 meeting, the Plan Commission found the standards met and **conditionally approved** your demolition permit and conditional uses for 7718 Mineral Point Road. At its May 5, 2020 meeting, the Common Council **approved** the rezoning of the parcels to from Temp A (Temporary Agricultural) and CC (Commercial Center) Districts to CC-T (Commercial Corridor-Transitional) District. Prior to issuance of demolition or building permits for the project, the conditions of approval in the following sections shall be satisfied:

**Please contact Tim Troester of the City Engineering Division at 267-1995 if you have questions regarding the following fourteen (14) items:**

1. Enter into a City / Developer agreement for the required infrastructure improvements. Agreement to be executed prior to sign off. Allow 4-6 weeks to obtain agreement. Contact City Engineering to schedule the development and approval of the plans and the agreement. (MGO 16.23(9)c)
2. Construct sidewalk to a plan along S High Point Rd and Mineral Point Rd (including type 2 crosswalk ramps) as approved by City Engineer
3. Make improvements to the storm sewer system to extend storm sewer from the culver crossing of High Point Road up to this property. The improvements shall consist of a storm sewer extension. (MGO 16.23(9)(d)(6))
4. 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))

5. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
6. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.
7. 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.
8. A Storm Water Maintenance Agreement (SWMA) is required for this project. See Storm comments for agreement specific details and requirements.
9. 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.
10. 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)
11. This project will disturb 4,000 sf or more of land area and require an Erosion Control Permit. Submit the Erosion Control Permit Application (with USLE calculations and associated fee) to Megan Eberhardt (west) at [meberhardt@cityofmadison.com](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto:daolivares@cityofmadison.com), for approval. The permit application can be found on City Engineering's website at <http://www.cityofmadison.com/engineering/Permits.cfm>.

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](mailto:meberhardt@cityofmadison.com), or Daniel Olivares (east) at [daolivares@cityofmadison.com](mailto: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>

This project will require a concrete management plan and a construction dewatering plan as part of the erosion control plan to be reviewed and approved by the City Engineer's Office. 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. (POLICY)

This project appears to require fire system testing that can result in significant amounts of water to be discharged to the project grade. The Contractor shall coordinate this testing with the erosion control measures and notify City Engineering 608-266-4751 prior to completing the test to document that appropriate measures have been taken to prevent erosion as a result of this testing.

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.

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 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: Detain the 2, 10, 100 and 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.

Oil/Grease Control: Treat the first 1/2 inch of runoff over the proposed parking facility and/or drive up window.

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.

13. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
14. 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).

**Please contact Jeff Quamme of the City Engineering–Mapping Section at 266-4097 if you have any questions regarding the following two (2) items:**

15. The address of the proposed building is 7722 Mineral Point 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.
16. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD), the new parcel data created by the Assessor's Office and the parcel data available to zoning and building inspection staff prior to issuance of building permits for new construction.

**Please contact Sean Malloy of the Traffic Engineering Division at 266-5987 if you have any questions regarding the following twelve (12) items:**

17. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions 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 two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
18. 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.
19. 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.
20. All parking facility design shall conform to the standards in MGO Section 10.08(6).
21. All bicycle parking adjacent pedestrian walkways shall have a 2 foot buffer zone to accommodate irregularly parked bicycles and/or bicycle trailers.
22. 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.

23. 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.
24. The applicant shall provide a clearly defined 5' walkway 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.
25. "Stop" signs shall be installed at a height of seven (7) feet from the bottom of the sign at all class III driveway approaches, including existing driveways, behind the property line and noted on the plan. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
26. The applicant shall show the dimensions for the proposed class III driveway including the width of the drive entrance, width of the flares, and width of the curb cut.
27. Note: This site presents difficult constructability issues; access to neighboring sites must be maintained at all times, protected walkways will be constructed and maintained as soon as possible and little to no access to the Public Right-of-Way on Mineral Point Road and High Point Road will be granted for construction purposes. Provide a detailed construction plan to Traffic Engineering for review by the Traffic Control Specialist (Mike Duhr) prior to final signoff.
28. The applicant shall construct sidewalk along Mineral Point Road and High Point Road according to plan approved by City Engineer

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

29. It appears that the primary street façade (Mineral Point Rd south elevation) may not meet the design standards for door and window openings. Provide details showing that the primary street façade (Mineral Point Rd south elevation) 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.
30. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at [streets@cityofmadison.com](mailto:streets@cityofmadison.com).

31. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185 (7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
32. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.
33. Include a parking lot summary with the Land Use Summary Table including the number of vehicles stalls, accessible stalls and bicycle stalls.
34. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks.
35. Required loading facilities shall comply with MGO Section 28.141(13). Provide one 10' x 35' loading areas 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.
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. 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.
39. 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. Signage permits are issued by the Zoning Section of the Department of Planning and Community and Economic Development.

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

40. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at [pripp@cityofmadison.com](mailto:pripp@cityofmadison.com) or (608)712-6277.

**Please contact Adam Wiederhoeft of the Madison Water Utility at 266-9121 if you have any questions regarding the following four (4) items:**

41. This property appears to have an outstanding special assessments/water main connection charges associated with the original water main installations (installed in 1981, 1994). Outstanding balances for water main special assessments/connection charges are based on original installation cost and applicable 20-year bond interest, payable to Madison Water Utility. Improvements which substantially change the use of the property may require any outstanding deferred assessments or connection fees to be paid in full prior to proceeding with the proposed improvements (MGO 4.081(4)). Contact Adam Wiederhoeft at [awiederhoeft@madisonwater.org](mailto:awiederhoeft@madisonwater.org) to determine the final water main and/or existing water lateral connection fees.
42. The 1981 water main installation along Mineral Point Rd has a final assessment value of \$7,483.42. The 1994 water main along S. High Point Rd has a final assessment value of \$7,206.56, after the 150-FT dual frontage credit. The total outstanding water main assessment value is \$14,689.98.
43. 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/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. If you have questions regarding water service applications, please contact Madison Water Utility Engineering Section at (608) 266-4646.
44. A private well may have served this parcel prior to the municipal water service connection. Any remaining unused/unpermitted private wells existing on this parcel must be properly abandoned according to Wisconsin Administrative Code NR 812 and Madison General Ordinance 13.21 prior to the demolition of the property. Please contact water utility staff at (608) 266-4654 to schedule an on-site private well survey prior to demolition, otherwise for additional information regarding well abandonment procedures and potential well abandonment reimbursement programs.

**Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following item:**

45. In coordination with public works improvements, the applicant shall install and maintain a new concrete boarding pad surface at the planned bus stop on the east side of High Point Road, north of Mineral Point Road. The new concrete pad shall measure 10 feet parallel to the street and sit flush between the top of curb and edge of sidewalk, starting at least 65 feet north of the curb ramp at Mineral Point Road - but no closer than 20 feet from the proposed driveway apron onto High Point Road.
46. The applicant shall include the location of these transit amenities on the final documents filed with their permit application so that Metro Transit may review the design.

47. Metro Transit currently operates all-day transit service on weekdays along Mineral Point Road and High Point Road, west and south of this property. Daily all-day transit serve operates on Ganser Way, south of Mineral Point Road, approximately 500 feet east of this property.

**Please contact Wayne Buckley of the Parks Division–Forestry Section at 266-4892 if you have any questions regarding the following four (4) items:**

48. An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
49. All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued.
50. City Forestry will issue a street tree removal permit for 3 Oak trees due to poor condition and grade changes along Mineral Point Rd frontage. Contractor shall contact City Forestry at (608) 266-4816. Add as a note on the plan set.
51. 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 - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: 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 my office at 261-9135 if you have any questions regarding the following two (2) items, including Condition #53, which added by the Plan Commission on April 27, 2020:**

52. Per the recommendation of the Landmarks Commission, the Quonset hut at 7718 Mineral Point Road should be salvaged or sold as part of the recycling plan
53. That the applicant work with staff to eliminate the parking space located at the southeastern corner of the site adjacent to the proposed Mineral Point Road driveway to aid in the preservation of the large oak tree on that portion of the site.

**No interior, exterior or structural demolition or wrecking activities or remodeling activities (including material reclamation activities by the applicant or a third party) shall commence nor any wrecking or building permits be issued until the applicant has met all of the conditions of approval stated in this letter.**

**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 permits for your project:**

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 [zoning@cityofmadison.com](mailto:zoning@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](mailto: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 and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval. [Signature block on last page]
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 two (2) years 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 six (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 twelve (12) 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 building permit, 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 (608) 261-9135.

Sincerely,



Chris Wells  
 Planner

<p>I hereby acknowledge that I understand and will comply with the above conditions of approval for this project.</p>  <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Applicant</i></p>  <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="text-align: center;"><i>Signature of Property Owner (if not the applicant)</i></p>
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- cc: Tim Troester, City Engineering Division  
 Jeff Quamme, City Engineering Division  
 Sean Malloy, Traffic Engineering Division  
 Jenny Kirchgatter, Asst. Zoning Administrator  
 Bill Sullivan, Madison Fire Department  
 Adam Wiederhoeft, Madison Water Utility  
 Tim Sobota, Metro Transit  
 Wayne Buckley, Forestry  
 Bryan Johnson, Streets Division

<b>LNDUSE-2020-00010</b>			
<b>For Official Use Only, Re: Final Plan Routing</b>			
<input checked="" type="checkbox"/>	Planning Div. (Wells)	<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 checked="" type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input checked="" type="checkbox"/>	Water Utility
<input checked="" type="checkbox"/>	Metro Transit	<input checked="" type="checkbox"/>	Other: Forestry