



Department of Planning & Development
Planning Unit

Website: www.cityofmadison.com

Madison Municipal Building
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P.O. Box 2985
Madison, Wisconsin 53701-2985
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FAX 608 266-8739
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May 11, 2005

Bill White
Michael Best & Friedrich, LLP
P.O. Box 1806
Madison, WI 53701-1806

Noelle Goben
Donovan Leasing Corp.
80 Blain Street
Oconomowoc, WI 53066

SUBJECT: 1415 Pflaum Road

Dear Ms. Goben and Mr. White:

The Plan Commission, at its May 2, 2005 meeting, determined that the ordinance standards could be met subject to the conditions below for a conditional use for an auto sales business located at 1415 Pflaum Road.

In order to receive final approval of your proposal, the following conditions must be met:

THE PLAN COMMISSION IMPOSED THE FOLLOWING CONDITIONS OF APPROVAL:

1. The premises will be operated in accordance with the plans submitted by the applicant and any additional conditions added by the Plan Commission as otherwise noted.
2. There will be no loading or unloading of automobiles on site of the premises.
3. Exterior lighting on the site will be directed in a downward fashion. A lighting plan including fixtures will be approved by the Planning Unit.
4. Landscaping will be conducted in accordance with the landscaping plan approved by the City of Madison Plan Commission staff. The landscaping plan shall be augmented to provide additional landscaping along the street frontage by removing the two display stalls at the western end of the display row and one stall at the eastern end of the row, and by better framing the driveway from South Stoughton Road with additional landscaping and curbing on the north side of the driveway. The plan shall also be revised to continue the line of hedges that will be planted to the south of the former driveway across the driveway to provide screening of the adjacent residential from the customer parking area that is proposed.

5. No test drives of automobiles will be conducted on any residential street.
6. The applicant will remove the existing gas tanks on site.
7. There will be no exterior speakers, radios or live radio remotes on the premises so as to be audible from any surrounding properties.
8. The existing building on the premises will be repainted with signage added in accordance with City of Madison approved sign permit.
9. There will be no car wash on site.
10. The applicant will maintain the premises in a neat and orderly fashion.
11. Any dumpster will be located inside the existing building.
12. There shall be no rusted cars or cars in disrepair on display.
13. The conditional use permit shall not be transferable except for intra-family transfers, which transfers will be notified in writing to the Glendale Neighborhood Association 30 days prior.
14. The easement running to the west side of the premises will remain unobstructed and the existing driveway access to the premises from the easement will be sealed by installation of curbing to protect any proposed landscaping.
15. The two existing curb cuts to Pflaum Road will be sealed by installation of curbing and landscaped.
16. The maximum number of automobiles will be limited to 55 and 61 vehicles depending on the number of stalls remaining after the above mentioned site and landscaping improvements are completed.
17. There shall be no automotive/mechanical work occurring outside of the building on premises.
18. There shall be no storage or display of automobiles on racks or risers on the premises.
19. A neighborhood advisory council shall be formed to work with the developer and the neighborhood to discuss any future concerns regarding the operation of the proposed used car dealership.

PLEASE CONTACT JOHN LEACH, CITY TRAFFIC ENGINEERING, AT 266-4761 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FOUR ITEMS:

20. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.
21. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
22. The developer shall post a deposit or reimburse the City for all costs associated with any modifications to Street Lighting, Signing and Pavement Marking including labor and materials for both temporary and permanent installations.

23. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

PLEASE CONTACT GARY DALLMANN, CITY ENGINEERING, AT 266-4751 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING ITEM:

24. The applicant shall submit, prior to plan sign-off, digital CAD files to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital copies shall be to scale and represent final construction.

CAD submittals can be either AutoCAD (dwg), MicroStation(dgn) or Universal (dxf) formats and contain 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.)

Note: Email file transmissions preferred: lzenchenko@cityofmadison.com

PLEASE CONTACT KATHY VOECK, THE ASSISTANT ZONING ADMINISTRATOR, AT 266-4551 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING FIVE ITEMS:

25. Conditions from the Zoning Code requirements:

- a. That there is adequate screening and landscaping.
- b. That no permanent or temporary storage of vehicles in disrepair shall occur on the premises unless within a completely enclosed building.
- c. That the site fronts on either a street designated as an arterial street or on a frontage road adjacent to a designated arterial street.
- d. That illumination of the site does not adversely affect adjacent properties.
- e. That signage shall conform to the size limitation of the R5 residential district if the site is opposite or adjoining residential property.
- f. That the hours of operation shall be limited to 8:00 a.m. to 8:00 p.m.

26. Meet all applicable State requirements including, but not limited to:

- a. Provide a minimum of one accessible stall striped per State requirements. The stall shall be a van accessible stall 8-feet wide with an 8-foot striped out area adjacent.
- b. The ramp cannot be located in the striped out area.
- c. Show the accessible path from the stall to the building.
- d. Show wheel stops or curbs if required to protect the accessible path.

27. Provide 2 bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The bike racks shall be securely anchored to the ground or building to prevent the racks from moving. NOTE: Bike stalls shall be a minimum dimension of 6' x 2' with a 5' access to the stalls.

PLEASE CONTACT BILL ROBERTS OR TIM PARKS OF THE PLANNING UNIT STAFF AT 266-4635 IF YOU HAVE QUESTIONS REGARDING THE FOLLOWING THREE ITEMS:

28. The applicant shall provide a detailed lighting plan for staff review and approval that complies with the existing Madison Lighting Ordinance.
29. The applicant shall provide detailed signage information to staff for review and compliance with the size limitations of the R5 Residence District. The large "Amoco" sign must be removed to comply with the ordinance.
30. The Zoning Code requires landscape plans, approved by a registered landscape architect, for parking lots of a certain size. The final landscape plan shall be approved by staff that provides additional landscaping along Pflaum Road and the adjacent duplex dwellings to the west of this site.

Approval of this proposal does not include any approval to prune, remove or plant trees in the public right-of-way. Permission for such activities must be obtained from the City Forester, 266-4816. The trees shown in the street rights-of-way shall not be shown on the sign-off plan or construction plans unless they have previously been approved by the City Forester. If these are existing trees or species and locations that have been approved by the Forester, they shall be so labeled on plans.

Please follow the procedures listed below to receive your conditional use approval.

1. Please revise plans per the above conditions and submit five (5) sets of the final site plans (including drainage and landscaping plans) to the Zoning Administrator. In addition to these five sets of plans, please submit enough plans for each reviewing agency. The final plans are reviewed and approved by Traffic Engineering, Fire Department, City Engineering, and Zoning. Any of these agencies may call you to request additional information or to resolve problems.
2. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting cover sheet approval.
3. No alteration of this proposal shall be permitted unless approved by the City Plan Commission provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of Plan Commission approval unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the date of issuance of the building permit. See Sec. 2812(11)(h)(3), Madison General Ordinances. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against this approved conditional use.

Mr. B. White
Ms. N. Goben
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IF YOU HAVE ANY QUESTIONS REGARDING OBTAINING YOUR BUILDING PERMIT OR OCCUPANCY PERMIT, PLEASE CALL KATHY VOECK OF THE CITY ZONING STAFF AT 266-4551.

Sincerely,

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

Bill Roberts
Planning & Development

Applicant

cc: Zoning Administrator
City Engineering
Traffic Engineering
Executive Mgmt., Inc., 2901 International Ln., Madison, WI 53704

Zoning City Engineering Traffic Engineering Planning
