



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

January 7, 2009

Patrick Donahue
Wilde Family Limited Partnership
1710A Highway 164
Waukesha, WI 53186

RE: Approval to rezone 5555 High Crossing Boulevard from C2 (General Commercial District) to C3 (Highway Commercial District) to allow for the construction of an auto dealership.

Dear Mr. Donahue:

At its January 6, 2009 meeting, the Common Council **approved** your request to rezone 5555 High Crossing Boulevard from C2 (General Commercial District) to C3 (Highway Commercial District) to allow for the construction of an auto dealership. The following conditions of approval shall be satisfied prior to final approval and recording of the rezoning.

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following twenty-two (22) items.

1. Any damage to pavement will require restoration in accordance with the City's Patching Criteria.
2. Submit soil borings with proposed storm water management plan. It appears that proposed basin may encounter bedrock.
3. The public sidewalk installation shall require significant grading and retaining walls.
4. Sanitary lateral cleanouts need to be added to bends.
5. Label sanitary 6" force main on Nelson Road.
6. Outstanding City of Madison deferred sewer assessments are due upon approval.
7. Applicant shall provide soil boring report for review.
8. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City / Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
9. The value of sidewalk installation over \$5000. The applicant shall construct sidewalk to a plan approved by the City Engineer along High Crossing Boulevard and Nelson Road.

10. 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.
11. All work in the public right-of-way shall be performed by a City licensed contractor.
12. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the City Parks Department - <mailto:dkahl@cityofmadison.com> or 266-4816.
13. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
14. 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 7.5-tons per acre per year.
15. The City of Madison is an approved agent of the Department of Commerce. This proposal contains a commercial building and as such, 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.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to a) detain the 2 & 10-year storm events; b) control 80% TSS (5 micron particle) off of new paved surfaces; c) provide infiltration in accordance with Chapter 37 of the Madison General Ordinances; d) provide oil & grease control from the first 1/2" of runoff from parking areas; and e) 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.
17. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko) lzenchenko@cityofmadison.com The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. Email file transmissions preferred. The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
18. The applicant shall submit, prior to plan sign-off, digital PDF files to the Engineering Division (Jeff Benedict or Tim Troester). The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities, and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
19. The applicant shall submit prior to plan sign-off, electronic copies of any stormwater management file including: SLAMM DAT files; RECARGA files; TR-55/HYDROCAD/etc. and; 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.

20. The Applicant shall obtain a Street Excavation permit for the installation of utilities required to serve this project. The Applicant shall pay the permit fee, inspection fee and street degradation fee as applicable and shall comply with all the conditions of the permit. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
21. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>.
22. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (608-261-9688) to obtain the final MMSD billing a minimum of two (2) working days prior to requesting City Engineering signoff.

Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following seventeen (17) items.

23. The site plan shall be revised to dedicate the future roadway extension of Crossing Place as shown in the proposed amendment to the Nelson Neighborhood Development Plan. The final right of way shall be reviewed and approved by the Traffic Engineer.
24. If the automobile laundry has some type of indoor drying equipment, the exit door shall be forty (40) feet beyond the dryers. However, the Director of the Inspection Unit may reduce this distance requirement when the applicant provides a noise study demonstrating that the sound levels of the indoor drying equipment and laundry equipment do not exceed 65 decibels (db) between 7:00 a.m. and 7:00 p.m. and 60 decibels (db) between 7:00 p.m. and 7:00 a.m. at a residential property line, and meets Section 28.08, Madison General Ordinances, and all other requirements.
25. Wisconsin Dept. of Transportation (WDOT) has all access control on Nelson Rd. and High Crossing Blvd. If the applicant proposed access is approved by WDOT, the applicant will need to modify the driveway approach to a Class 3 and signage design. In particular, the applicant shall contact Lisa Stern, Wisconsin Department of Transportation (608-246-5635), with site plans sets for review and approval. The applicant shall return a set of site plans or letter with WDOT-approved copies to the City of Madison Traffic Engineering Division.
26. The main driveway approach entrance on High Crossing Blvd. shall be a special design "Street Type Entrance" maximum of thirty (30) feet in width with a radius of twenty-five (25) feet at the right-of-way. The applicant shall revise the driveway and approach in the existing easement. The egress shall be two lanes with a fifteen (15) foot lanes separated by a double yellow epoxy line. A six (6) inch epoxy white lines for the six (6) foot wide crosswalk and twenty-four (24) inch epoxy white stop bar five (5) feet behind the crosswalk shall be painted at the intersection of the street. The Applicant shall provide detail drawing of the approach. In addition, a note shall be shown on the plan, "ALL PAVEMENT MARKING SHALL BE INSTALLED IN EPOXY AND MAINTIAN BY THE PROPERTY OWNER."
27. The applicant shall submit detail drawing of for the joint High Crossing Blvd approach serving both 3601 Cross Hill Drive and 5555 High Crossing Blvd. The applicant shall submit grading and construct plans to accommodate both sites. The proposed grading as proposed needs to be modified to six- (6) or less percent slope to allow 3601 Cross Hill Drive access to the proposed approach. The applicant shall show cross section and grading information that the access can be accommodated.

28. The applicant shall revise the Nelson Road approach to a Class 3 driveway max. of 30 ft and 10 ft flares according to M.G.O.
29. To provide for adequate pedestrian pathways/linkage from the public sidewalks to the building entrance, the applicant shall modify site plans from Nelson Rd and High Crossing Blvd to the building front by construction of the raised islands along the main drive aisle and relocating the five (5) ft. sidewalk with a three (3) to five (5) ft. grass terrace/buffer behind the curb. The applicant shall provide pavement markings and ramps for all pedestrian crossings in the parking lot.
30. The applicant shall indicate the type of bicycle racks to be installed.
31. 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), 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'.
32. The applicant shall demonstrate semi truck delivery of vehicles ingress, egress and loading / unloading area on-site. The applicant shall not use the High Crossing Blvd or Nelson Rd for loading and unloading vehicles.
33. The applicant shall show the dimensions for proposed parking stalls' items B, C, D, E, and F, degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned.
34. When site plans are submitted, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
35. "Stop" and "No Left Turns" signs shall be installed at a height of six (6) feet to the bottom of the first sign at the driveway approaches High Crossing Blvd. and Nelson Rd. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan. The applicant shall relocate all signs from the City right-of-way.
36. The applicant shall design the surface employee, customer and service parking areas for stalls and backing up according to Figures II of the ordinance using the 9' or wider stall for the commercial/retail area. The display areas maybe noted as display outlined and does not need to be striped.
37. The attached Traffic Signal/Street Light declaration of conditions and covenants shall be executed and returned with site plans. The development shall acknowledge on their proportionate share of traffic signal assessments. The development shall further agree in writing to not oppose their proportionate share of the traffic signal assessments as part of the City's Special Assessment districts for traffic signals.
38. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to Traffic Signals, Street Lighting, Signing and Pavement Marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
39. 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 Scott Strassburg, Madison Fire Department, at 261-9643 if you have questions about the following two (2) items:

40. Provide fire apparatus access as required by Comm 62.0509 and MGO 34.19, as follows:
- a. The site plans shall clearly identify the location of all fire lanes.
 - b. Provide an aerial apparatus access fire lane that is at least 26-feet wide, with the near edge of the fire lane within 30-feet of the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.
 - c. 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 is fully sprinklered.
 - d. Provide a completed MFD "Fire Apparatus Access and Fire Hydrant Worksheet" with the site plan submittal.
 - e. Per IFC 503.3 Show approved "fire lane, no parking" signs posted on the site plan. A max of 150- feet on center. Signs must be visual and easily read from any location on the fire lane. Fire lanes 20-27 feet wide will be posted as fire lane on both sides, 28-35 feet wide shall be posted fire lane on the appropriate side only.
41. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500-feet of at least TWO fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.

Please contact Pat Anderson, Madison Assistant Zoning Administrator, at 266-5978 if you have questions about the following six (6) items:

42. Parking lot plans with greater than twenty (20) stalls, landscape plans must be stamped by a registered landscape architect. Provide a landscape worksheet with the final plans that shows that the landscaping provided meets the point and required tree ordinances. In order to count toward required points, the landscaping shall be within 15' and 20' of the parking lot depending on the type of landscape element. (Note: The required trees do not count toward the landscape point total.) Planting islands shall consist of at least 75% vegetative cover, including trees, shrubs, ground cover, and/or grass. Up to 25% of the island surface may be brick pavers, mulch or other non-vegetative cover. All plant materials in islands shall be protected from vehicles by concrete curbs.
43. Lighting for an outdoor merchandising area, the maximum level in 75% of the lot shall not exceed 20 footcandles. A contiguous area not to exceed 25% of the lot may be illuminated to a level which shall not exceed 40 footcandles.
44. 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.
45. Provide 18 bike-parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. NOTE: A bike-parking stall is two feet by six feet with a five-foot access area. Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

- 46. Provide (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. Provide (1) 10' x 50' loading area with 14' vertical clearance to be shown on the plan. The loading area shall be exclusive of drive aisle and maneuvering space.
- 47. Meet all applicable State accessible requirements, including but not limited to:
 - a. Provide a minimum of two accessible stalls striped per State requirements. A minimum of one of the stalls shall be a van accessible stall 8' wide with an 8' striped out area adjacent.
 - b. Show signage at the head of the stalls. Accessible signs shall be a minimum of 60" between the bottom of the sign and the ground.
 - c. Show the accessible path from the stalls to the building. The stalls shall be as near the accessible entrance as possible. Show ramps, curbs, or wheel stops where required.

Please contact my office, at 267-1150 if you have questions about the following two (2) items:

- 48. That the applicant revises site/landscaping plans to incorporate additional evergreen planting to provide additional year-round screening along the rear (southern) property line. This plan, along with the recently submitted retaining-wall graphic shall be reviewed and approved by Planning Division Staff.
- 49. That this rezoning shall be effective to allow automobile sales and service facilities (without auto body facilities). All other uses listed as permitted uses in the C3 Highway Commercial District shall require Plan Commission approval for this property, unless otherwise listed as permitted uses in the C1 or C2 zoning districts. A restrictive covenant to this effect in a form approved by the City Attorney shall be placed on the properties. The development plans for this dealership shall be constructed as approved. Any changes to these plans shall first be approved by Planning Division staff or by the City's Plan Commission.

Please now follow the procedures listed below for obtaining your rezoning:

Approval of this project 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.

Please file **seven (7) sets** of the revised, complete site plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

If you have any questions regarding final approval of this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 267-1150.

Sincerely,

Kevin Firchow, AICP
 Planner

Enc.

- cc: Janet Dailey, City Engineering
- John Leach, Traffic Engineering
- Scott Strassburg, Madison Fire Department
- Matt Tucker, Zoning Administrator
- Kevin Delorey, Quarels and Brady LLP (Via Email Only)

For Official Use Only Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Firchow)	<input type="checkbox"/>	CDBG
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Comm. Staff
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: Metro