



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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May 15, 2008

Michael R. Christopher
DeWitt Ross & Stevens, SC
2 E. Mifflin Street; Suite 600
Madison, Wisconsin 53703-2865

RE: Approval of a demolition permit to allow demolition of various former agricultural research and warehousing buildings and construction of 59 commercial condominium buildings at 1902 Tennyson Lane (Keller).

Dear Mr. Christopher:

The Plan Commission, meeting in regular session on May 5, 2008 determined that the ordinance standards could be met and **approved** your client's request for a demolition permit to allow an agricultural research and warehousing complex located at 1902 Tennyson Lane to be razed and a complex of commercial condominium buildings to be constructed, subject to the conditions below. In order to receive final approval of the demolition permit, the following conditions must be met:

Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following ten items:

1. The interior street and alley intentions for this proposed development shall be confirmed either public or private. Regardless of whether they will be public or private, submittal of a list of proposed street/alley names shall accompany this development application. Please coordinate with Engineering Mapping Section (lzenchenko@cityofmadison.com) for approval prior to application.
2. There is an existing circa 1952 8-inch sanitary sewer main located on private property within this site on the northerly extension of Eliot Lane not identified on the plan. Identify this sewer on the plan and provide a copy of recorded easement of record for this public sanitary sewer. If an easement does not exist, one shall be granted to the City of Madison administered by the City Real Estate Unit. A Registered Land Surveyor shall field locate the sewer and prepare a legal description and map. Submit legal description, map and a \$500 fee (payable to City of Madison Treasurer) to Engineering Mapping, Attn: Eric Pederson, 1602 Emil Street, Madison, WI 53713-2362.
3. If the sanitary sewer, storm sewer or water mains are to be public to serve this development, easements shall be required within any private streets.
4. Any damage to pavement or public infrastructure on Tennyson Lane will require restoration in accordance with the City's pavement patching criteria.
5. The applicant shall close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass.

6. 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.
7. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to 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.
8. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
9. Prior to approval of the conditional use application, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.

The applications for the permits in Items #8-9 are available online at:
<http://www.cityofmadison.com/engineering/permits.cfm>.

10. 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 regarding the following twelve items:

11. The applicant shall modify vehicle access and connectivity to streets prior to submitting final site plans for approval as follows:
 - a.) The applicant shall dedicate a 66 feet public right of way from Eliot Lane and Tennyson Lane northerly to the north property for future development to the north.
 - b.) The Plan Commission may want to consider extending Kipling Drive through the site consistent with the neighborhood plan, however, grades and water detention facilities may prevent considering a public street to the northerly property line.
 - c.) For the applicant's proposal of a private street or driveway with direct access to Packers Avenue/ CTH CV, north of Tennyson Lane, the applicant shall be responsible for securing all proper permits and approvals from Dane County Highway and Transportation Department for access and grading along CTH CV in the right-of-way. The contractor shall provide copies of all approved permits to Traffic Engineering prior to approval of plans. The applicant shall build a median and turn lanes on Packers Ave to accommodate this access and turning vehicles.
12. The applicant shall enter into a subdivision contract or developer's agreement to accommodate proposed street improvements.
13. The applicant shall provide walkways through the site from the private street system to the public streets.

14. The applicant shall indicate the type of bicycle racks to be installed.
15. 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" = 40'.
16. A "Stop" sign shall be installed at a height of seven feet at the driveway approaches. 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.
17. When site plans are submitted for approval, the developer shall provide recorded copies of the joint driveway ingress/egress and easements.
18. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.
19. The applicant shall design the surface 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. Aisles, ramps, columns, offices or work areas are to be excluded from these rectangular areas, when designing underground parking areas.
20. 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.
21. 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.
22. 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 Matt Tucker, Zoning Administrator, at 266-4551 if you have any questions regarding the following nine items:

23. Per the submittal, the proposed buildings will cater to land uses identified as *permitted uses* in the M1 Limited Manufacturing District. Each individual building or tenant space will require a separate certificate of occupancy for each individual land use proposed for each space in each building.
24. The required number of parking spaces will be determined at the time the specific land use/occupancy for the tenant spaces is requested. For example, the following requirements would apply:
 - a.) Manufacturing and warehousing establishments, contractor shops, production and processing facilities, research and development and testing facilities: 1 space per 2 employees.
 - b.) General commercial uses: 1 per 300 sq. ft. of gross floor area.
 - c.) Office uses: 2 spaces per 1,000 sq. ft. of gross floor area.
25. Meet all applicable State accessible requirements, including but not limited to:
 - a.) Show the accessible path from the stalls to the building.

- b.) Show accessible ramps that are not within the striped out area, curbs or wheel stops where needed.
26. Provide required 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: A bike parking stall is two feet by six feet with a five-foot access area.
27. It appears the site will provide off-street parking facilities in excess of 20 parking stalls. For parking lot plans with greater than twenty (20) stalls, a registered landscape architect must stamp landscape plans. 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.)
28. Provide three 10' x 35' loading areas and one 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.
29. If exterior lighting is provided, it must comply with City of Madison outdoor lighting standards.
30. There is a proposed building site shown on the southeast corner of the site. No detail has been provided for this building, it is assumed that this portion of the development will come forward at a later date, and be developed in consistency with the zoning requirements in place at the time of development.
31. The site shares a zoning district boundary with a residential development to the east. This development must provide effective 6' – 8' high screening along the lot line of this manufacturing district adjoining a residential zoning district. Provided, however, that within ten (10) feet from any driveway crossing of a street lot line, any screening shall not exceed two (2) feet in height.

Please contact Scott Strassburg, Madison Fire Department, at 261-9843 if you have questions about the following two items:

32. Provide fire apparatus access as required by Comm. 62.0509 and MGO 34.19, as follows:
- a.) Provide a fire lane with the minimum clear unobstructed width of 20 feet.
 - b.) Provide a minimum unobstructed width of 26 feet for at least 20 feet on each side of the fire hydrant.
 - c.) The site plans shall clearly identify the location of all fire lanes.
 - d.) 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.
 - 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.
33. 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 my office at 261-9632 if you have questions regarding the following six items, including the three conditions added by the Plan Commission:

34. That the applicant submit a site plan for review and approval by the Planning Division that includes the following:
- a.) the typical dimensions of all of the commercial condominium buildings, internal drives, surface parking spaces and any other pertinent features included in the development;
 - b.) a detailed landscaping plan that includes the number, planting size and species of the various materials noted on the concept plan;
 - c.) if remaining, the location of the existing wireless communications tower present in the northwest corner of the site, with details to be provided on the screening of the base equipment of the tower as required in Section 28.04 (23) of the Zoning Ordinance.
35. That the applicant submit a fully dimensioned and detailed typical building elevation of the proposed commercial condominium buildings for approval by the Planning Division prior to the final approval of the demolition permit for 1902 Tennyson Lane.
36. That the applicant submit a Certified Survey Map for approval by the City and recording prior to the final approval of the demolition permit for 1902 Tennyson Lane that dedicates the right of way for the extension of Eliot Lane as shown on the approved plans.
37. That the approval include the conditions proposed in the letter of May 2, 2008 from Michael Christopher to the Berkley Oaks Neighborhood Association and Northside Planning Council. Those conditions are:
- a.) All applicable City ordinances relating to the demolition of the existing buildings, the recycling of all materials and all subdivision requirements, including the new ordinance regulating condominiums, will be strictly complied with.
 - b.) The developer will take all reasonable steps to complete the demolition of the 2008-09 school year. If it is not possible to do so, the developer will attempt too coordinate the demolition taking into account the days that Lake View Elementary School will be closed.
 - c.) The development of the business bungalow project will include the following:
 - A public street dedication, which will connect the future development on the Raemisch property to Eliot Lane.
 - Incorporating a private driveway off of Packers Avenue at a location approved by City Traffic Engineering.
 - The internal streets would be private and maintained by the condominium association.
 - No development of business bungalows [shall occur] on Lot 1 [of future CSM].
 - Preserving the existing trees and vegetation on Lot 1 and ensuring that the lot will be preserved for open space and conservation purposes.
 - Preservation of the existing row of ash trees along the southern boundary of the property.
 - Installation of a nearly continuous line of evergreen trees along the northern, southern and western property lines to screen the development from surrounding uses.
 - Incorporating internal screening between the business bungalows.
 - Incorporating six rain gardens to promote alternative means of onsite infiltration.
 - Each unit will be provided with off street parking between the buildings and street sufficient to meet zoning requirements.
 - Private condominium documents will govern the operation of the business bungalow development. Those documents will prohibit many uses ordinarily permitted in the M-1 zoning, which would include vehicle salvage, banks, restaurants, taverns and other manufacturing uses.
 - The condominium documents will also restrict overnight parking, a prohibition against parking on the private street drives, a restriction against exterior modification to buildings, restrictions against signage, and a prohibition against sleeping overnight in any of the units.

- d.) The developer will work with the [Northside Planning Council], [Berkeley Oaks Neighborhood Association], the neighborhood and the City to identify any potential concerns about the future use and maintenance of the property and of the condominium bylaws and covenants.
- e.) The developer agrees to seek input from NPC, BONA, the neighborhood and the City to resolve future development of the property, assuming that the business bungalow concept is not feasible for Lot 2 as well as Lot 3.
- f.) The developer agrees to jointly plan with NPC, BONA, the neighborhood and the City for any future neighborhood commercial use on Lot 4.

Please now follow the procedures listed below for obtaining your demolition permit:

1. Please revise your plans per the above and submit *seven (7) copies* of a complete 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, including the required tree preservation plan.
2. A reuse and recycling plan approved by the Recycling Coordinator is required by ordinance prior to the issuance of a wrecking permit. The reuse and recycling plan shall be submitted along with the resubmittal of site plans for forwarding to the Recycling Coordinator.
3. The Madison Water Utility shall be notified to remove the water meter prior to demolition.
4. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
5. This approval shall become null and void one year 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 months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved demolition permit.

If you have any questions regarding obtaining your demolition or building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
 Planner

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

Signature of Applicant

- cc: Matt Tucker, Zoning Administrator
 Janet Dailey, City Engineer's Office
 John Leach, Traffic Engineering Division
 Dennis Cawley, Madison Water Utility
 George Dreckmann, Recycling Coordinator
 Scott Strassburg, Madison Fire Department

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