



Department of Planning & Community & Economic Development

Planning Division

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February 10, 2015

Ryan Solum
Manhard Consulting, Ltd.
900 Woodlands Parkway
Vernon Hills, Illinois 60061

RE: Approval of a demolition permit and conditional use to allow demolition of a street-facing facade of a large retail development at 4198 Nakoosa Trail and construction of an addition to the store with a vehicle access sales and service window, and consideration of a conditional use for outdoor sales and display areas for the expanded store (Wal-Mart Real Estate Trust).

Dear Mr. Solum;

At its February 9, 2015, the Plan Commission found the standards met and **approved** your demolition permit and conditional use request for the Wal-Mart store at 4198 Nakoosa Trail. The conditions of approval in the following sections shall be satisfied prior to issuance of demolition or building permits for the project.

Please contact Janet Schmidt of the City Engineering Division at 261-9688 if you have questions regarding the following seventeen (17) items:

1. The site and utility plans shall show all easements of record. See CSM 9518. It appears there are proposed facilities (Compactor and Truck Dock Bays) that may encroach into the Public Watermain Easement area as it is defined by the above CSM. Coordinate and obtain approval with Dennis Cawley of the Water Utility at (608) 261-9243 any facilities that are determined to encroach into the Watermain Easement.
2. Show all public water main facilities that exist within this site on the plans. Only a portion of the water main is currently shown. Additionally, the existing water main needs to be shown to the west of the building.
3. Currently the storm pond in the west side of the site adjacent to Commercial Avenue is fenced even though it is on public property. The developer shall work with the City on a permanent maintenance agreement for the pond or shall accept conveyance of the pond to Wal-Mart and shall provide an easement that would allow for public water to drain into the pond. Alternatively, the developer shall remove the fence from the pond and restore as necessary.
4. Stormwater calculations shall be updated to include the new impervious areas.

5. The “new” area (formerly grass) is expanding greater than 20,000 square feet, which will require infiltration for this area.
6. Oil and grease control is required on all newly paved areas.
7. The site plan shall identify lot and block numbers of recorded Certified Survey Map or plat.
8. The site plan shall include a full and complete legal description of the site or property being subjected to this application.
9. The applicant shall replace all sidewalk and curb and gutter that abuts the property that 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.
10. All work in the public right of way shall be performed by a City-licensed contractor.
11. This project falls in the Rock River TMDL Zone and is subject to increased erosion control enforcement as authorized by Resolution 14-00043 passed by the Common Council on January 21, 2014. The project will be expected to meet a higher standard of erosion control than the minimum standards set by the Wisconsin Department Natural Resources (WDNR).
12. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of 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.
13. Effective January 1, 2010, the Department of Commerce’s authority to permit commercial sites, with over 1 acre of disturbance, for stormwater management and erosion control has been transferred to the Department of Natural Resources (WDNR). The WDNR does not have an authorized local program transferring this authority to the City of Madison. The City of Madison has been required by the WDNR to continue to review projects for compliance with NR-216 and NR-151 but a separate permit submittal is now required to the WDNR for this work as well. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. As this site is greater than 1 acre, the applicant is required by State Statute to obtain a Water Resources Application for Project Permits (WRAPP) from the Wisconsin Department of Natural Resources, prior to beginning construction. This permit was previously known as a Notice of Intent Permit (NOI). Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement.
14. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to: detain the 2- & 10-year storm events; control 80% TSS (5 micron particle) off of new paved surfaces; provide oil and grease control from the first 1/2” of runoff from parking areas; provide infiltration in accordance with Chapter 37 of Madison General Ordinances, and; 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 MGO.

15. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. 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).
16. The applicant shall submit prior to plan sign-off, electronic copies of any Stormwater Management Files 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).
17. All outstanding Madison Metropolitan Sewerage District (MMSD) are due and payable prior to City Engineering sign-off, unless otherwise collected with a Developer's/ Subdivision Contract. Contact Janet Schmidt (608-261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.

Please contact Eric Halvorson of the Traffic Engineering Division at 266-6527 if you have any questions regarding the following four (4) items:

18. The applicant shall submit one contiguous plan 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.
19. 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.
20. 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.
21. All parking facility design shall conform to the standards in MGO Section 10.08(6).

Please contact Pat Anderson, Assistant Zoning Administrator, at 266-5978 if you have any questions regarding the following nine (9) items:

22. Bike parking shall comply with MGO Section 28.141: Bike parking shall comply with Table 28I-3; include a bike rack detail showing compliance with Sec. 28.141(11). Proposed plan provides 40 bicycle parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. **A bicycle adjustment for 54 stalls subject section 28.141(5) shall be required.** Note: A bike-parking stall is 2 feet by 6 feet with a 5-foot access area. Provide details of bike rack on final plan sets.

23. Submitted plans do not clearly identify the proposed outdoor display areas. Subject to Section 28.151, outdoor display areas shall be limited to display for no more than 16 hours per day. Call out and dimension these areas on the final submitted site plans. Final approval of these areas shall be granted by the Zoning Administrator prior to their use.
24. Provide a reuse/recycling plan, to be reviewed and approved by the City's Recycling Coordinator, George Dreckmann, prior to a demolition permit being issued. MGO Section 28.185(7)(a)5 of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
25. Signage approvals are not granted by the Plan Commission. Signage shall be reviewed for compliance with MGO Chapter 31. Sign permits must be reviewed by the Urban Design Commission and issued by the Zoning Section of the Department of Planning and Community and Economic Development prior to installation.
26. Provide landscape plans pursuant to MGO Section 28.142(3), Landscape Plan and Design Standards. Landscape plans for zoning lots greater than 10,000 square feet in size must be prepared by a registered landscape architect. Provide details of screening pursuant to MGO Section 28.142(9) and 28.142(11)(d).
27. This approval is subject to the supplemental requirements in MGO Section 28.151 for vehicle access sales and service windows and temporary outdoor sales.
28. Parking and loading shall comply with MGO Section 28.141(13): Provide four (4) 10' x 35' loading areas with 14 feet of vertical clearance to be shown on the final plan. The loading area shall be exclusive of drive aisle and maneuvering space.
29. A temporary use permit shall be required for each temporary outdoor event. These shall be renewed annually for each event. Work with Pat Anderson in Zoning for application requirements.
30. No material or items, including sheds, trailers or similar items for sale and or display shall be placed in the parking lot outside of designated outdoor display or temporary outdoor event areas.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following item:

31. Note: All operating private wells shall be identified and permitted and any unused private wells shall be abandoned by the Madison Water Utility in accordance with MGO Section 13.21.

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

32. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances. The final site plans shall clearly identify the location of all fire lanes and provide fire apparatus access as required by IFC 503 2012 edition, MGO Section 34.503

Please contact Tim Sobota of Metro Transit at 261-4289 if you have any questions regarding the following three (3) items:

33. Metro Transit does not support the proposed transit improvements at the existing bus stop location on the north side of Nakoosa Trail, west of the Wal-Mart access driveway due to the potential that future service could shift off Nakoosa Trail and only operate along Commercial Avenue.
34. Should the applicant wish to expedite improvements at a more permanent bus stop location, in coordination with public works improvements, the applicant may seek to extend public sidewalk along the east side of Commercial Avenue from the Nakoosa intersection north towards the driveway. In coordination with such public works improvements, the applicant should also install and maintain a concrete passenger boarding pad on the east side of Commercial Avenue, approximately 80 feet north of the Nakoosa Trail intersection crosswalk marking (generally adjacent Outlot 2). The concrete pad shall occupy the full distance of the terrace, measure a minimum of 10 feet in width parallel to the street, and lie flush between the sidewalk and the top of curb. The applicant may then install and maintain proposed transit amenity features opposite this concrete passenger boarding pad location, at which time Metro Transit would establish this location as a scheduled bus stop. If the applicant expedites this work, the applicant could also seek to provide an accessible pedestrian connection from the existing store frontage through the parking area out to Commercial Avenue (and a further extension of the public sidewalk), parallel to the existing driveway access. The applicant shall include the location of any transit amenities on the final documents filed with their permit application so that Metro Transit may review and approve the design.
35. The applicant may review the Metro Transit website for TDM measures, including Metro Commute Card, Metro Commuter Choice, and Metro Pass Sales outlet.

Please contact my office at 261-9632 if you have any questions about the following two (2) items:

36. That the final Transportation Demand Management (TDM) plan be approved by the City Traffic Engineer and Director of the Planning Division prior to final approval and issuance of building permits. The final TDM and conditional use plan sets shall include final details of the proposed pedestrian plaza, bus stop improvements and bike parking for approval by the Planning Division, Metro Transit, Traffic Engineering Division and Zoning Administrator prior to issuance of building permits.
37. That prior to issuance of building permits for the project, the final plans be revised for approval by the Planning Division and Zoning Administrator to clearly identify and dimension the outdoor sales area proposed between the entry vestibules of the store. The final plans shall show compliance with the requirement to provide a minimum 8-foot wide pedestrian walkway adjacent to the outdoor sales area.

The applicant is also required to satisfy the Urban Design Commission conditions of approval prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

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 file **ten (10) sets** 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 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 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.
3. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Section 28.185(10) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
4. Approval of the plans for 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.
5. 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 one (1) 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 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 24 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 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

cc: Janet Schmidt, City Engineering Division
Eric Halvorson, Traffic Engineering Division
Pat Anderson, Asst. Zoning Administrator
Tim Sobota, Metro Transit
Dennis Cawley, Madison Water Utility
Bill Sullivan, Madison Fire Department

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

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<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 checked="" 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"/>	Other: Metro Transit