# Dane County Conditional Use Permit Application

Application Date	C.U.P Number
08/21/2014	DCPCUP-2014-02290
Public Hearing Date	
10/28/2014	

Application			10/2	0/2014		
OWNER I	NFORMATION				AGENT INFORMATION	ON
OWNER NAME RICHARD M STORY		Phone with Area Code (608) 836-75	BRAI	NAME D KONING		Phone with Area Code (608) 836-7570
BILLING ADDRESS (Number, Street 4101 MONONA DR UNIT 30			ADDR8 1918	SS (Number, Str PARMENTER	reet) R STREETSUITE 2	
(City, State, Zip) MONONA, WI 53716	-			itate, Zip) eton, WI 5356	52	
E-MAIL ADDRESS				. ADDRESS ng@shulferar	chitects.com	
ADDRESS/LOCAT	TION 1	ADDRESS	LOCATIO	DN 2	ADDRESS/LC	OCATION 3
ADDRESS OR LOCATIO	N OF CUP	ADDRESS OF	R LOCATIO	N OF CUP	ADDRESS OR LOC	CATION OF CUP
5291 Felland Road						
TOWNSHIP BURKE	SECTION 23	TOWNSHIP		SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS IN	VOLVED	PARCEL NU	IMBERS IN	VOLVED	PARCEL NUMBE	RS INVOLVED
0810-233-753	4-3					
		CUP D	ESCRIPTI	ON		
Residential use in C-1 Co	mmercial					
	DANE CO	UNTY CODE OF O	RDINANC	E SECTION		ACRES
10.13(2)(a)						0.653
10.13(2)(c)						0.653
		DEED RESTRICT		Inspectors Initials	SIGNATURE:(Owner or A	Agent)
		Yes	No	RLB	PRINT-NAME:	ong
		Applicant Initials			& Brad Kon,	
					DATE:	
					× 8.21.14	
						Form Version 01.00.03

Felland Rd

R-3 DCPREZ-0000-000000 Accessory

A-1 DCPREZ-0000-00000 Firmary 5291

Paramatakan Astan

**C41 DCPREZ**+0000406093

(5283)



August 21, 2014

Dane County Planning & Development Zoning Division 210 Martin Luther King Jr. Blvd. Madison, WI 53703-3342

RE: Conditional Use Permit –Site Plan Review
Multi-Use Development – 5291 Felland Rd (Lot 2/3)

On behalf of Mark Hoover, I am submitting this letter of intent for a Conditional Use Permit to allow a Mixed-Use redevelopment with a Residential component on a C-1 zoned property located on Lot 2/3 of 5291 Felland Rd in the Town of Burke. We are also requesting a Variance be provided that would allow a second drive entrance once the land becomes one single lot. Parcel numbers affected by the Conditional Use Permit are as follows: 0810-233-7512-9, 0810-233-7545-0, 0810-233-7534-3. The existing parcels consist of a partially asphalted surface parking lot which once served a Bar that has since been removed. There is an existing abandoned garage that will be removed as part of this redevelopment. Mr. Hoover has an accepted offer to purchase the property from Richard Story, and is currently in the diligence period of the approval process for the proposed development.

### **Project Overview:**

- 25 - ...

Proposed is a 4,050 gsf multi-tenant building for the use of a liquor store and small restaurant with combined drive-thru. The second floor would consist of four efficiency apartments. The construction of this building would consist of load bearing wood walls, slab on grade flooring, and wood truss roof structure. Twenty three (23) parking stalls are shown to the south and west of the building, with the building drive-thru located parallel to Felland Road. A drive-thru is desired for a potential small restaurant, having light to medium volume. A cedar picket trash enclosure will be constructed, matching the building materials and landscaped to minimize the appearance from Felland Road.

The liquor store will have the potential for wine and beer tastings, but would not serve alcoholic beverages as part of their every-day operations.

The project will be generously landscaped to provide a neat and inviting appearance. A sidewalk will front the building to the south and allow for sufficient bicycle stalls for those customers who choose to use alternative methods of transportation. Adequate site lighting will be provided in the parking areas, with full cut off lenses to shield unwanted light to the surrounding areas.

Tenant store fronts will consist of large areas of clear glass for greater visibility. The use of various materials to create a human scale to the building while maintaining areas for signage allows for greater visibility to the tenants and customers. The second floor residences will have a separate entrance and designated parking stalls from the first floor businesses.



In summary, the project will consist of the general criteria listed below:

### **Zoning District:**

The property is currently zoned Commercial (C-1) – the proposed use is allowable for this zoning district with conditional use for the residential and drive-thru.

### **Project Schedule:**

Construction Start:

Spring, 2015

Substantial Completion:

Summer, 2015

Tenant Build-out Completion

Summer, 2015

### Project Design Team:

The key individuals and firms involved in this planning and design process include:

Owner:

Mark Hoover

6901 Ramsey Road

Middleton, WI 53562

Architect

Shulfer Architects, LLC.

Brad Koning, AIA

1918 Parmenter St., Suite 2

Middleton, WI 53562

### **Building General Contractor:**

Civil Engineer:

Professional Engineering, LLC.

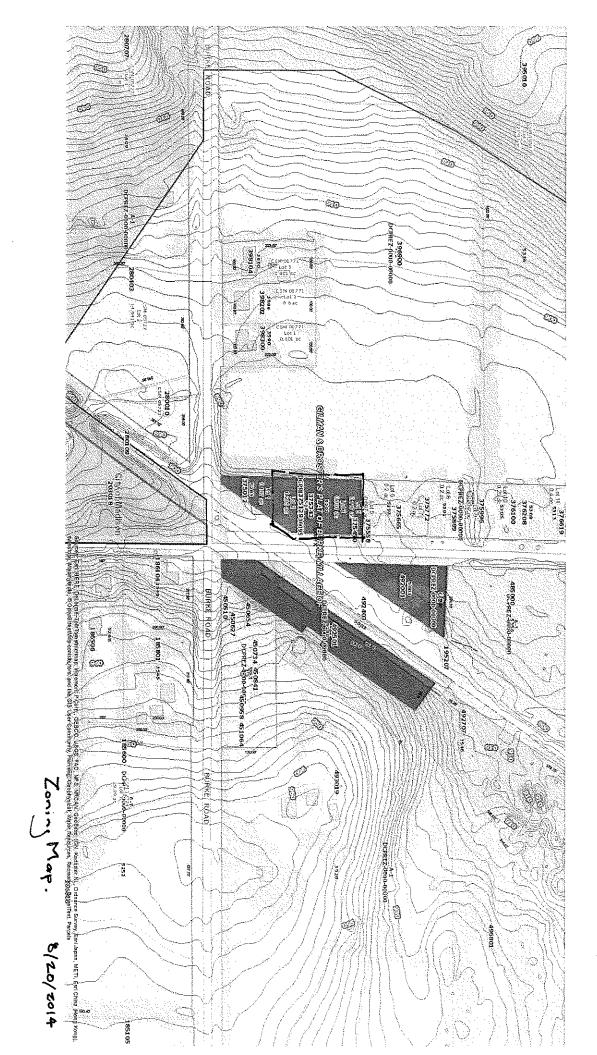
Roxanne Johnson, P.E. 818 N Meadowbrook Rd. Waunakee, WI 53597

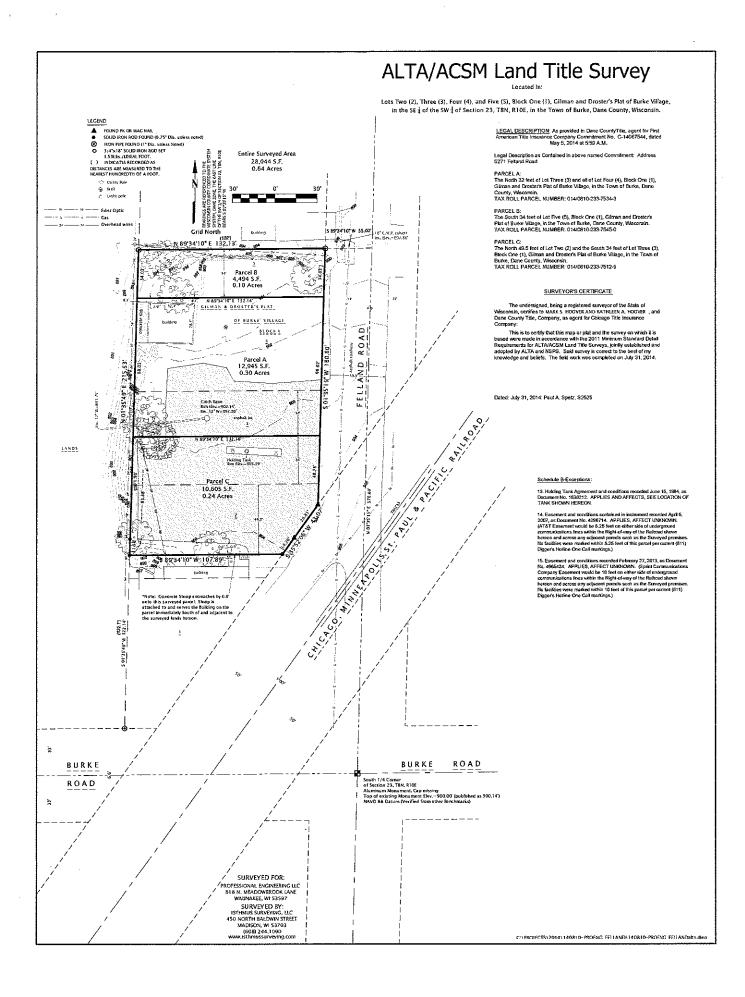
I hope that you find this Letter of Intent informative and invite you to contact our office should you have any further questions.

Respectfully,

Brad Koning, AIA.

Shulfer Architects, LLC





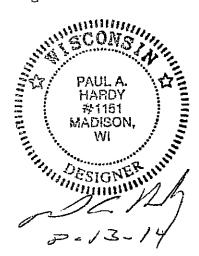
### **Index Sheet**

### Holding Tank Plan & User's Manual

Snow Leopard Spirits Site 5291 Felland Road SE1/4, SW1/4, Section 23, T8N, R10E Town of Burke, Dane County, Wisconsin

### **Table of Contents:**

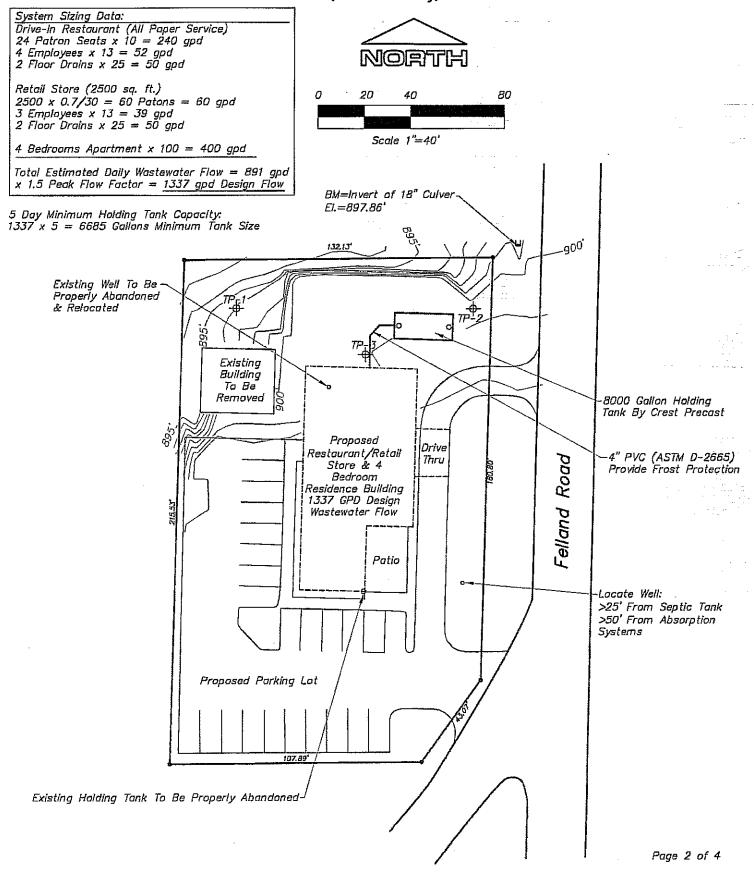
Page 1-Index Sheet
Page 2-Site Plan
Page 3-Tank Cross Section
Page 4-Maintenance Plan

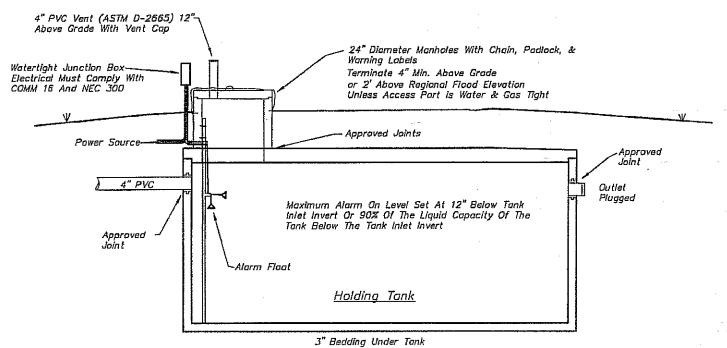


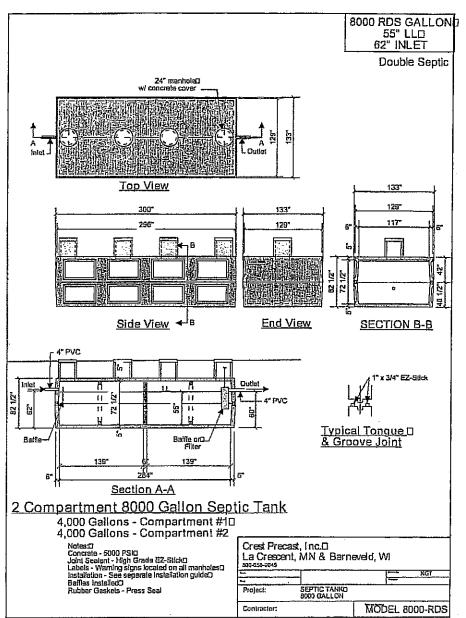
The following manual was used in this design: "Holding Tank Component Manual for Private Onsite Wastewater Systems (Version 2.0) SBD-10855-P (N. 03/07)

Prepared by: Paul A. Hardy Designer # 1151

# Holding Tank Site Plan Snow Leopard Spirits Site 5291 Felland Road SE1/4, SW1/4, Section 23, T8N, R10E Town of Burke, Dane County, Wisconsin







Page 3 of 4

### OPERATION, MAINTENANCE and PERFORMANCE MONITORING

A. The system owner is responsible for the operation and maintenance of the system, locking device, alarm and access.

The owner or owner's agent is required to submit reports as required by s. 525 383.55 (1), Wis. Adm. Code, to the county or other appropriate jurisdiction and/or the department.

B. Design approval and site inspections before, during, and after the construction are accomplished by the county or other appropriate Jurisdictions in accordance with ch. 5PS 383 of the Wis. Adm. Code.

### C. Performance Expectations

Maintenance cycle. The holding tank must be serviced by licensed pumpers. An alarm system is installed to activate when the tank is  $\leq 90\%$  full.

Performance monitoring. At the time of servicing, the service provider files a report with the department or designated agent.

D. Monitoring/Alarm Equipment Installation.

Alarm installation. The alarm float is set to turn on the alarm when liquid volume is at 12" below tank inlet invert or at 90% of the liquid capacity of the tank below the tank inlet invert.

### Contingency Plan

In the event the holding tank becomes no longer serviceable, the following steps shall be taken:

- 1. Temporarily close the facility to stop the wastewater flow.
- 2. Contact the master plumber in charge of system installation.
- 3. Investigate the possibility of connecting to public sewer.
- 4. If sewer hookup is not feasible, obtain approvals and permits for new holding tank installation.

Additional information may be obtained from:

Public Health-Madison & Dane Co. 2701 International Lane Suite 204 Madison, WI 53704

### DANE COUNTY ORDINANCE AMENDMENT NO. 6095

Amending Section 10.03 relating to Zoning Districts in the Town of

### Burke

The Dane County Board of Supervisors does ordain as follows: That the Zoning District Maps of the Town of Burke be amended to include in the C-1 Commercial District/s the following described land:

Pet. #6095/1195:

Part of the SE 1/4 SW 1/4 Section 23. Town of Burke described as follows: South 34 feet Lot #5, Block 1, Gilman Droster Plat - Section 23, Town of Burke.

EFFECTIVE DATE,

(ZNRPH.REZ)

## DANE COUNTY CONDITIONAL USE PERMIT #1195

THE ZONING AND NATURAL RESOURCES COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255 (2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT the conditional use permit subject to conditions.

FOR: Multi-family residence tavern and lighted horseshoe pits.

EFFECTIVE DATE OF PERMIT: 3/28/95 EXPIRATION DATE: SEE BELOW THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

Part of the SE 1/4 SW 1/4 Section 23, Town of Burke described as follows: South 34 feet Lot #5, Block 1, Gilman Droster Plat - Section 23, Town of Burke.

### **CONDITIONS**

These conditions are specifically made applicable to this permit, any violation of such conditions shall be sufficient grounds for revocation of this permit.

- 1). No outside amplifiers or music.
- 2). All pit lighting shall be shut off not later than 11:00 P.M.
- 3). Door from tavern to horse shoe pit shall be closed at 11:00 P.M.
- 4). No additional lighting may be added to horse shoe pits beyond those that existed 27 November 1994 including the two 35 watt night lights for security which may be kept on after 11:00 P.M.
- 5). CUP for horse shoe pit lighting is limited to two years from the date of CUP approval. All other CUP uses in application approved as submitted.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING OF FACT:

- 1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- 2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance and operation of the proposed conditional use.
- 3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.

- 5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.

### EXPIRATION OF PERMIT

Section 10.25 (2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.



# PLANNING DEVELOPMENT

### **Conditional Use Application**

Application Fee: \$486 Mineral Extraction: \$1136

**Zoning Division** Room 116, City-County Building 210 Martin Luther King Jr. Blvd. Madison, Wisconsin 53703-3342 Phone: (608) 266-4266

Fax: (608) 267-1540

<ul> <li>Write</li> <li>Sca</li> <li>req</li> <li>ligh</li> <li>Sca</li> <li>Write</li> <li>min</li> </ul>	quired to be submitted with app tten Legal Description of Colled drawing of the property uirements, driveway, parki ting, any natural features, led map showing neighbor tten operations plan descri eral extraction sites) tten statement on how the p	onditional Use y showing exising area, outsi and proposed ing area land bing the items	sting/pro de stora signs. uses and s listed b	posed buildings, se ge areas, location/t d zoning districts elow (additional ite	type of exterior
Owner	Mark Hoover		Agent	Brad Koning, AIA	
Address	6901 Ramsey Road	···	Address	1918 Parmenter St.	Ste. 2
hone	Middleton WI 53562		Phone	Middleton WI 53562	2
				608-836-7570	
∃mail	mshandkah@aol.com		Email	bkoning@shulferarc	:hitects.com
Parcel nu	umbers affected: <u>0810-233-751</u>	12-9			Section: 23
0810-2	<u> 233-7545-0 0810-233-753</u>	34-3	<ul><li>Propert</li></ul>	y Address: 52 <b>9</b> 1 Fella	and Road
	Proposed Zoning District : C-1		***************************************		
=xisting/	Proposed Zoning District:				
p: Typ	e of Activity proposed:			nt - Residential Apartı restaurant First Floor	
- <b>Ηο</b> ι	urs of Operation	10am-12 midi	niaht		
o Nur	mber of employees icipated customers	10+/-	Ü		
	side storage	None			
	door activities		•	restaurant and drive	-thru
	door lighting	Parking lot/Se	ecurity lig	hting	
_	side loudspeakers posed signs	None	المائدة المستحدد	na Cianaaa	
	poseu signs sh removal	Monument Sig Contracted Co	-		
	Standards of CLID (see h		ommercia	<b>3</b> 1	

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By

Date: August 20, 2014 Brad Koning, AIA

### Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The mixed-use development provides a safe environment for the residential use that requires a conditional use permit. The main entrance and parking area is separate from the commercial use of the proposed project.

The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The project locates all commercial activities (parking, drive entrances, building entrances away from existing single family residences and uses the proposed building as a barrier between the parking areas and the existing residences. There is a large side yard adjacent to the existing single family residences to the north as well.

That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The project is hopeful to encourage new development in the existing C-1 zoned property adjacent to the development and provides a street front where a vacant lot once stood.

 That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

New site improvements including on-site stormwater management, commercial septic and well are being proposed as part of the development. City sewer and water are not available to this lot. City of Madison has no plans to extend existing services to this lot in the near future or foreseeable future.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Traffic patterns have been designed to provide a single egress/ingress to the parking lot and proposed drive-thru. The drive-thru is designed for light/medium traffic due to the size of the restaurant tenant in the proposed development.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

The proposed project will conform to all applicable regulations.

Lots Two (2), Three (3), Four (4), and Five (5), Block One (1), Gilman and Droster's Plat of Burke Village, in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 23, T8N, R10E, in the Town of Burke, Dane County, Wisconsin

LEGAL DESCRIPTION: As provided in Dane CountyTitle, agent for First American Title Insurance Company Commitment No. C-14067544, dated May 5, 2014 at 5:59 A.M.

Legal Description as Contained in above named Commitment: Address 5271 Felland Road

### PARCEL A:

The North 32 feet of Lot Three (3) and all of Lot Four (4), Block One (1), Gilman and Droster's Plat of Burke Village, in the Town of Burke, Dane County, Wisconsin. TAX ROLL PARCEL NUMBER: 014/0810-233-7534-3

The South 34 feet of Lot Five (5), Block One (1), Gilman and Droster's Plat of Burke Village, in the Town of Burke, Dane County, Wisconsin. TAX ROLL PARCEL NUMBER: 014/0810-233-7545-0

The North 49.5 feet of Lot Two (2) and the South 34 feet of Lot Three (3), Block One (1), Gilman and Droster's Plat of Burke Village, in the Town of Burke, Dane County, Wisconsin.

TAX ROLL PARCEL NUMBER: 014/0810-233-7512-9

### SURVEYOR'S CERTIFICATE

The undersigned, being a registered surveyor of the State of Wisconsin, certifies to MARK S. HOOVER AND KATHLEEN A. HOOVER , and Dane County Title, Company, as agent for Chicago Title Insurance

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS. Said survey is correct to the best of rry knowledge and beliefs. The field work was completed on July 31, 2014.

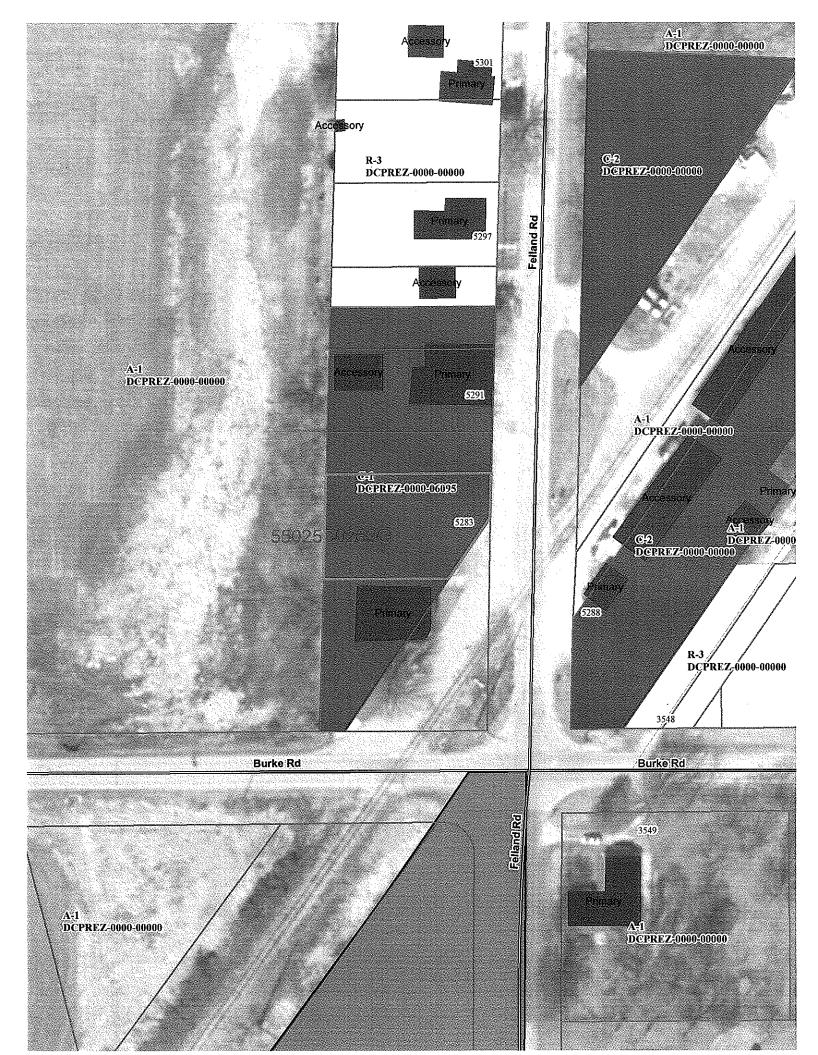
Dated: July 31, 2014; Paul A. Spetz, S2525

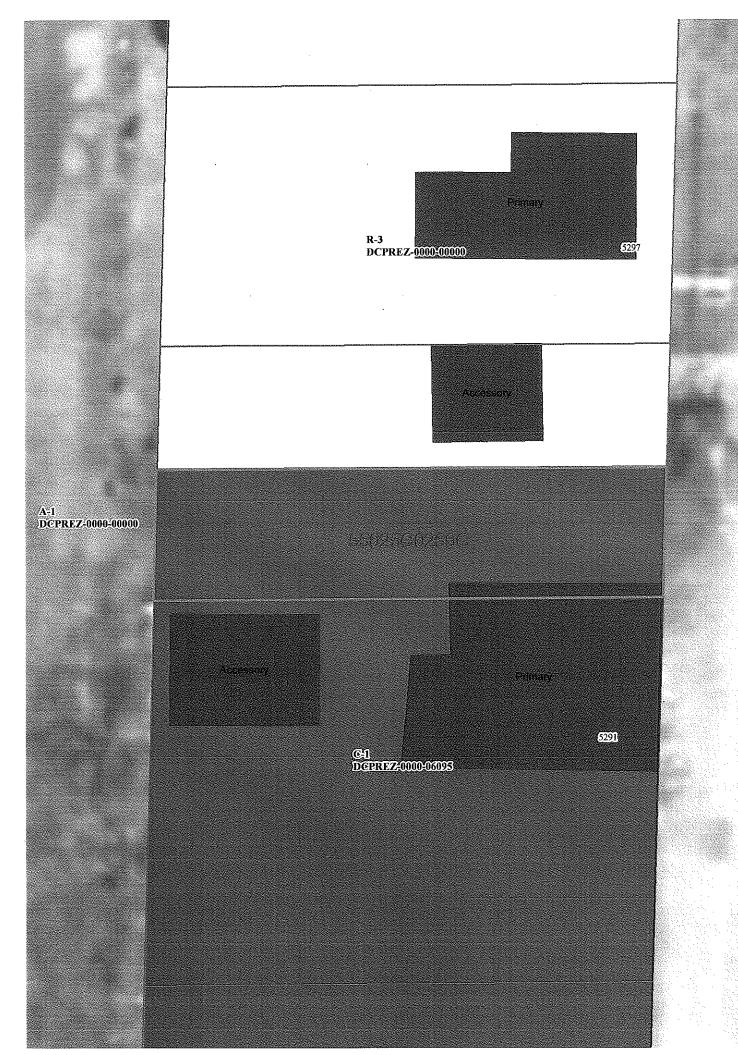
### Schedule B-Exceptions:

- 13. Holding Tank Agreement and conditions recorded June 15, 1984, as Document No. 1838212. APPLIES AND AFFECTS, SEE LOCATION OF TANK SHOWN HEREON.
- 14. Easement and conditions contained in instrument recorded April 6, 2007, as Document No. 4296714. APPLIES, AFFECT UNKNOWN. (AT&T Easement would be 8.25 feet on either side of underground communications lines within the Right-of-way of the Railroad shown hereon and across any adjacent parcels such as the Surveyed premises. No facilities were marked within 8.25 feet of this parcel per current (811) Dinner's Hulline One Call markines.) Digger's Holline One Call markings.)
- 15. Easement and conditions recorded February 27, 2013, as Document No. 4965434. APPLIES, AFFECT UNKNOWN. (Sprint Communications Company Easement would be 10 feel on either side of underground communications lines within the Right-of-way of the Railroad shown hereon and across any adjacent parcels such as the Surveyed premises. No facilities were marked within 10 feet of this parcel per current (611) Digger's Holline One Call markings.)

ALTA/ACSM Land Title Survey Located In:

veyed Area 4 S.F. Acres 30' 18 C.M.F. culvert LAGE ⋖ 0  $\simeq 1$ ₹Ti





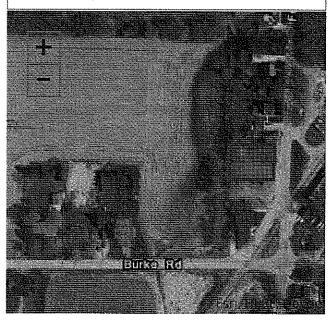
## Parcel Number - 014/0810-233-7534-3

### Current

Parcel Detail

Less

### Parcel Maps



Surveyor Map

**DCiMap** 

Google Map

Bing Map

Tax Summary (2013)

E-Statement

E-Bill

More

E-Receipt

Pay Taxes Online

Assessed Land Value		
\$73,100.00	\$3,100.00	\$76,200.00
Taxes:		\$1,333.65
Lottery Credit(-):		\$0.00
First Dollar Credit(-):		\$84.14
Specials(+):		\$8.67
Amount:		\$1,258.18
District Information		

	be abbreviated. For the complete legal description please refer to the deed.
Current Owner	RICHARD M STORY
Primary Address	5291 FELLAND RD
Billing Address	4101 MONONA DR 304 MONONA WI 53716

	14101 C
Assessment Year	2014
Valuation Classification	G2
Assessment Acres	0.301
Land Value	\$73,100.00
Improved Value	\$3,100.00
Total Value	\$76,200.00

Show Valuation Breakout

**Assessment Summary** 

Zoning	Information

For the most current and complete zoning information, contact the Division of Zoning.

Zoning	7
C-1 DCPREZ-0000-06095	-

**Zoning District Fact Sheets** 

Туре	State Code	Description
REGULAR SCHOOL	5656	SUN PRAIRIE SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	07BG	BLOOMING GROVE EMS
OTHER DISTRICT	07SP	SUN PRAIRIE FIRE

### **Recorded Documents**

Doc. Type		Doc. Number	Volume	Page
WD	01/25/1996		31587	26

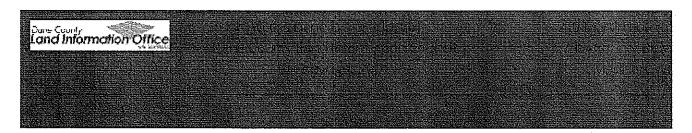
Show More

### DocLink

More

DocLink is a feature that connects this property to recorded documents. If you'd like to use DocLink, all you need to do is select a link in this section. There is a fee that will require either a credit card or user account. Click here for instructions.

By Parcel Number: 0810-233-7534-3
By Owner Name: RICHARD M STORY
Document Types and their Abbreviations
Document Types and their Definitions



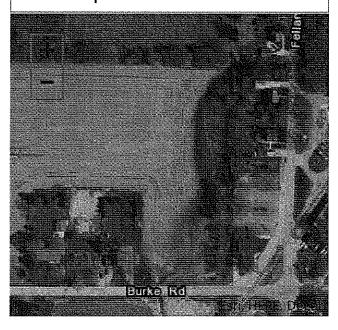
# Parcel Number - 014/0810-233-7545-0

Current

Parcel Detail

Less

### Parcel Maps



Surveyor Map

**DCiMap** 

Tax Summary (2013)

E-Statement

E-Bill

More

E-Receipt

Pay Taxes Online

Assessed Land Value		
\$5,100.00	\$0.00	\$5,100.00
Taxes:		\$89.26
Lottery Credit(-):		\$0.00
First Dollar Credit(-):		\$0.00
Specials(+):		\$0.00
Amount:		\$89.26
District Information		

	complete legal description please refer to the deed.
Current Owner	RICHARD M STORY
Primary Address	No parcel address available.
Billing Address	4101 MONONA DR 304 MONONA WI 53716

More

Assessment Year	2014
Valuation Classification	G2
Assessment Acres	0.117
Land Value	\$5,100.00
Improved Value	\$0.00
Total Value	\$5,100.00

**Show Valuation Breakout** 

**Assessment Summary** 

Zoning	Information	ì
ZUIIIII	michination	ı

For the most current and complete zoning information, contact the Division of Zoning.

Zoning	-
C-1 DCPREZ-0000-06095	***************************************

Zoning District Fact Sheets

Type	State Code	Description
REGULAR SCHOOL	5656	SUN PRAIRIE SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	07SP	SUN PRAIRIE FIRE
OTHER DISTRICT	07BG	BLOOMING GROVE EMS

### **Recorded Documents**

Doc.	Date	Doc.		
Type	Recorded	Number	Volume	Page
WD	01/25/1996		31587	26

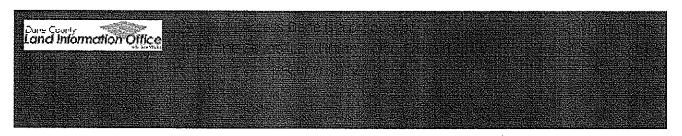
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By Parcel Number: 0810-233-7545-0 By Owner Name: RICHARD M STORY

Document Types and their Abbreviations
Document Types and their Definitions



# Parcel Number - 014/0810-233-7512-9

Current

Parcel Detail

Less

### Parcel Maps



Surveyor Map

**DCiMap** 

Tax Summary (2013)

E-Statement

E-Bill

More

E-Receipt

Pay Taxes Online

Assessed Land Value	Assessed Improvement Value	Total Assessed Value	
\$10,200.00	\$0.00	\$10,200.00	
Taxes:		\$178.52	
Lottery Credit(-):		\$0.00	
First Dollar Credit(-):		\$0.00	
Specials(+):		\$0.00	
Amount:		\$178.52	
District Information			

	is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.		
Current Owner	RICHARD M STORY		
Primary Address	No parcel address available.		
Billing Address	4101 MONONA DR 304 MONONA WI 53716		
Assessment Summary			

	More
Assessment Year	2014
Valuation Classification	G2
Assessment Acres	0.235
Land Value	\$10,200.00
Improved Value	\$0.00
Total Value	\$10,200.00

**Show Valuation Breakout** 

Zoning Information	
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For the most current and complete zoning information, contact the Division of Zoning.

Zoning	
C-1 DCPREZ-0000-06095	

Zoning District Fact Sheets

Туре	State Code	Description	
REGULAR SCHOOL	5656	SUN PRAIRIE SCHOOL DIST	
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE	
OTHER DISTRICT	07SP	SUN PRAIRIE FIRE	
OTHER DISTRICT	07BG	BLOOMING GROVE EMS	
Recorded Documents			
1	1	1	

Doc.		Doc.		
Type	Recorded	Number	Volume	Page
WD	12/18/1995	2725854	31587	26

**Show More** 

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By Parcel Number: 0810-233-7512-9 By Owner Name: RICHARD M STORY

Document Types and their Abbreviations
Document Types and their Definitions

